

## **Title 15 BUILDINGS AND CONSTRUCTION**

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### **Chapter 15.04 BUILDING INSPECTORS**

### **Sections:**

15.04.010 Assistant building inspectors.

15.04.020 Assistant building inspectors Duties.

### **15.04.010 Assistant building inspectors.**

There shall be three assistant building inspectors who shall be appointed by the building department. One of such assistant building inspectors shall be acquainted generally with the field of building construction and the problems relating thereto so as to assist the building inspector in the performance of the various duties and functions imposed on him by law. One of such assistant building inspectors shall

be a competent plumber, an expert in practical plumbing construction of all kinds and description and shall be known as the plumbing inspector. One of such assistant building inspectors shall be a competent, practical electrician, an expert in electrical installations of all kinds and description and shall be known as the electrical inspector.

(Prior code § 8-1)

#### **15.04.020 Assistant building inspectors Duties.**

It shall be the duty of the assistant building inspectors provided for in Section 15.04.010, under the supervision and direction of the building inspector, unless otherwise directed by the building department, to examine the condition of all buildings undergoing alteration or being erected and to notify the owners of such buildings of any violation of law concerning the alteration and erection of the same and to report such violations to the building department or to the building inspector. They shall have the same right to enter upon and examine any property, work or building operations which are being carried on, as is conferred upon the building inspector by law.

(Prior code § 8-2)

### **Chapter 15.08 BUILDING PERMITS AND FEES**

Sections:

15.08.010 Building permit and related fees.

15.08.020 Building permits to be withheld due to delinquent taxes and user fees.

#### **15.08.010 Building permit and related fees.**

A. Generally, Chapter 1, Fees, of the State Building Code shall be complied with. Except as set forth in subsections F, G, H, I and J of this section relating to pending school building projects, building permit fees as set forth in subsections A, B, and C of this section shall be applicable to all permits issued by the building department. Fees shall not apply to permits issued for municipal work performed by municipal employees.

1. Where the value of work does not exceed five hundred dollars (\$500.00) a fee of thirty-five dollars (\$35.00); where the value of work exceeds five hundred dollars (\$500.00) but does not exceed one thousand dollars (\$1,000.00), a fee of fifty dollars (\$50.00); plus an additional twenty-five dollars (\$25.00) for each one thousand dollars (\$1,000.00) or fraction thereof in excess of one thousand dollars (\$1,000.00).

## 2. Fee Schedule.

Cost of work in dollars	Fee permit
\$ 1 to 500	\$ 35.00
501 to 1,000	50.00
1,001 to 2,000	75.00
2,001 to 3,000	100.00
3,001 to 4,000	125.00
4,001 to 5,000	150.00
5,001 to 6,000	175.00
6,001 to 7,000	200.00
7,001 to 8,000	225.00
8,001 to 9,000	250.00
9,001 to 10,000	275.00
Etc.	

### B. Replacement of Hot Water Heaters.

1. Gas, Electric and Oil-Fired. A flat fee of thirty-five dollars (\$35.00) for a permit to replace hot water heaters will be charged.

2. Electric and Oil-Fired, Wiring. A flat fee of thirty-five dollars (\$35.00) for a permit for electrical wiring of all electric and oil-fired hot water heaters will be charged.

C. Certificate of Occupancy. A fee of one hundred dollars (\$100.00) will be charged for a certificate of occupancy, and a fee of ten dollars (\$10.00) will be charged for a duplicate certificate of occupancy.

D. ICC Regulations. The building department shall apply the International Code Council (ICC) "permit valuation tables", published biannually, when computing the value of construction work within the city. Also, any additional costs to the building department of the city necessary to satisfy state statutes shall be borne by the owner/applicant prior to the issuance of a building permit.

E. Penalty. To prevent unlawful construction, or to prevent the illegal use of occupancy of a building or structure, any company or owner found in violation will be fined two times the normal building fee as a penalty.

F. Generally, Chapter 1, Fees, of the State Building Code shall be complied with. Building permit fees

as set forth in subsections F, G and H of this section shall be applicable to all permits issued by the building department for the fees relating to the construction and replacement projects of the West End School, North End School, South End School, Barnum School, Waltersville School, Newfield School and McKinley School. Fees shall not apply to permits issued for municipal work performed by municipal employees.

1. Where the value of work does not exceed five hundred dollars (\$500.00) a fee of twenty-five dollars (\$25.00); where the value of work exceeds five hundred dollars (\$500.00) but does not exceed one thousand dollars (\$1,000.00), a fee of thirty-two dollars (\$32.00); plus an additional sixteen dollars (\$16.00) for each one thousand dollars (\$1,000.00) or fraction thereof in excess of one thousand dollars (\$1,000.00).

## 2. Fee Schedule.

Cost of work in dollars	Fee permit
\$ 1 to 500	\$ 25.00
501 to 1,000	32.00
1,001 to 2,000	48.00
2,001 to 3,000	64.00
3,001 to 4,000	80.00
4,001 to 5,000	96.00
5,001 to 6,000	112.00
6,001 to 7,000	128.00
7,001 to 8,000	144.00
8,001 to 9,000	160.00
9,001 to 10,000	176.00
Etc.	

## G. Replacement of Hot Water Heaters.

1. Gas, Electric and Oil-Fired. A flat fee of twenty-five dollars (\$25.00) for a permit to replace hot water heaters will be charged.

2. Electric and Oil-Fired, Wiring. A flat fee of twenty-five dollars (\$25.00) for a permit for electrical wiring of all electric and oil-fired hot water heaters will be charged.

H. Certificate of Occupancy. A fee of ten dollars (\$10.00) will be charged for a certificate of occupancy,

and a fee of five dollars (\$5.00) will be charged for a duplicate certificate of occupancy.

I. BOCA Regulations. The building department shall apply the building officials and code administrators (BOCA) "permit fee schedule," published biannually, when computing the value of construction work within the city. Also, any additional costs to the building department of the city necessary to satisfy state statutes shall be borne by the owner/applicant prior to the issuance of a building permit.

J. Penalty. To prevent unlawful construction, or to prevent the illegal use of occupancy of a building or structure, any company or owner found in violation will be fined two times the normal building fee as a penalty.

(Ord. dated 3/6/06: Ord. dated 7/5/05: Ord. dated 8/5/02)

(Ord. dated 11/3/08)

### **15.08.020 Building permits to be withheld due to delinquent taxes and user fees.**

In the event that a building permit is requested to be issued on any property within the city of Bridgeport and there are delinquent taxes or delinquent sewer use charges on such property, the building official shall withhold the issuance of such permit until the delinquent property taxes, interest, lien fees and sewer use charges are paid in full.

A. Whenever a building permit is requested for any property in the city of Bridgeport, the building official or his/her designee shall make inquiry with the office of the tax collector to ascertain as to whether or not there are any delinquent taxes, interest or lien fees owed on such property, and with the Water Pollution Control Authority ("WPCA") to ascertain as to whether or not there are any delinquent sewer use charges owed on such property. The building official may accept a current paid tax bill or sewer use bill as proof that no such delinquent taxes or sewer use charges are owned, in lieu of such inquiry.

B. Once the chief building official has made an inquiry regarding a property's tax status and sewer use status, the tax collector and/or WPCA shall certify this information, in writing, on a form drafted by or approved by the office of the city attorney. The completed forms shall be returned to the building official. Upon receiving certification that there are outstanding taxes, or interest, or lien fees, or sewer use charges on a subject property, the building official shall withhold the building permit until the delinquent taxes, interest, lien fees and delinquent sewer use charges are paid in full and acceptable proof of payment has been given to the building official or until a payment schedule for such delinquent taxes, interest, lien fees and sewer use charges has been agreed to by the tax collector in accordance with established practices and procedures permitted by ordinance.

C. In the event that a delinquent taxpayer pays the outstanding taxes, interest, lien fees and sewer use charges, the tax collector and/or WPCA shall issue a release. Such release shall be considered adequate

proof that all outstanding taxes and sewer use charges, together with any interest and lien fees concerning such property have been paid to the city.

D. Exceptions. This section shall not apply in situations where the property is the subject of a tax appeal and the taxpayer has made the minimum tax payments required by Section 12-118 of the Connecticut General Statutes. Nor shall this section apply in situations where a building permit is required to permit compliance with an order for repair/improvement issued by the judicial branch of the state of Connecticut, housing session. Nor shall this section apply in situations where a building permit is required for the purpose of the construction or installation of an access ramp or any other mechanism or equipment designed to aid or assist someone with access due to a disability where tax arrearage payment arrangements are in effect, current and scheduled to be completed within six months.

(Ord. dated 9/5/06: Ord. dated 3/21/05)

## **Chapter 15.12 HOUSING CODE**

Sections:

15.12.010 Definitions.

15.12.020 Applicability of definitions in Chapter 15.16 to this chapter.

15.12.030 Inspections.

15.12.040 Right of owner to enter premises to make repairs.

15.12.050 Enforcement Notice of probable violation given by enforcing officer.

15.12.060 Hearing.

15.12.070 Proceedings of hearing.

15.12.080 Emergency notice and hearing.

15.12.090 Minimum standards for basic equipment and facilities.

15.12.100 Minimum standard for light, ventilation and heating.

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15.12.120 Public hall and stairway light standards.

15.12.130 Window and door screen standards.

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15.12.150 General requirements relating to the safety and sanitary maintenance of parts of dwelling and dwelling units.

15.12.160 Minimum space, use and location requirements.

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15.12.220 Extermination standards.

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15.12.300 Rooming houses and hotels Registers.

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15.12.320 Rooming houses and hotels General powers of the housing code enforcement officer.

15.12.330 Rooming houses and hotels Fire department inspection.

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15.12.360 Rooming houses and hotels Reports to the tax assessor.

15.12.370 Rooming houses and hotels Penalties.

15.12.380 Rooming houses and hotels Revocation of licenses.

15.12.390 Rooming houses and hotels Responsibility of roomers.

15.12.400 Designation of unfit dwelling.

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15.12.420 Powers of board of condemnation Hearing and notice thereof.

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15.12.450 Abatement of condition as a nuisance.

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15.12.470 Defacing or removing placard.

15.12.480 Conflict of ordinances.

15.12.490 Violation Penalty.

### **15.12.010 Definitions.**

The following definitions shall apply in the interpretation and enforcement of this chapter:



"Apartment building" means and includes any buildings consisting of three or more dwelling units with independent cooking and dining facilities and complete bathroom facilities for each unit whether designated as an apartment, tenement, garden apartment or known by any other name. A building containing five to fifteen (15) individual roomers shall be classified as a rooming house.

"Basement" means a portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.

"Board of health" means the department of health and social services of the city.

"Building constituting a menace to public safety" means:

1. Any building or other structure of wood frame construction which is so constructed as to endanger more than ordinarily the safety of persons therein in case of fire, or so situated as to endanger more than ordinarily other building or property in the vicinity in case of fire, or so constructed or situated as to render the same peculiarly susceptible to fire from within or without; or
2. Any building or other structure which by reason of rot, or of weakened joints, walls, floors, underpinning, roofs, ceilings, or of insecure foundations, or of any other cause has become so dilapidated or deteriorated as to endanger the safety of persons therein or nearby; or
3. Buildings Deemed to Be Unsafe. As used in this subsection, "unsafe building" means a building that constitutes a fire hazard or is otherwise dangerous to human life or the public welfare. A vacant structure that is not secured against entry shall be deemed unsafe.

"Cellar" means a portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

"Director of health" means the legally designated health authority of the city or his authorized representative.

"Dwelling" means any building which is wholly or partly used or arranged or designed to be used for living or sleeping by human occupants.

"Dwelling unit" means one or more rooms arranged for the use of one or more individuals living together as a single housekeeping unit with cooking, living, sanitary and sleeping facilities.

"Enforcement officer" means the housing code enforcement officer who is designated in this chapter or otherwise charged with the responsibilities of administering this code, or his authorized representative.

"Extermination" means the professional control and elimination of insects, rodents or other pests, by

eliminating their harborage places; by removing or making inaccessible materials that may serve as food; by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods, approved by the director of health.

"Garbage" means all kitchen refuse of residences, hotels, rooming houses, class I and II, restaurants or other places where food is prepared for human consumption, and all offal from fish, meat and vegetable markets, and all vegetable or organic substances unfit for food that are subject to immediate decay.

"Habitable room" means a room of enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closets and storage spaces.

"Hotel" means and includes any building or group of buildings under the same management in which there are more than fifteen (15) sleeping accommodations for hire, primarily used by transient residents who are lodged with or without meals, whether designated as a hotel, inn, club, motel or known by some other name. So-called apartment hotels shall be classified as hotels because they are potentially subject to transient occupancy like that of hotels.

"Infestation" means the presence, within a dwelling or structure, of any insects, rodents, vermin or other pests which constitute a health hazard.

"Lead-based paint" means any paint containing more than six one-hundredths of one percent lead by weight (calculated as lead metal) in the total nonvolatile content of liquid paint or one-half of one percent lead by dry weight as measured by atomic absorption spectrophotometry, in the dried film of paint already applied or such more stringent standards as may be issued by the Chairperson of the United States Consumer Product Safety Commission.

"Members of the immediate family" means husband or wife, son or daughter, mother or father, sister or brother of the owner, lessee or person controlling such building.

"Moderate cooking facilities" means portable electric "plug-in" and/or small gas appliance and a refrigerator or an icebox.

"Multiple dwelling" means any dwelling containing more than two dwelling units.

"Occupant" means any person over one year of age, living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit or rooming unit.

"Operator" means any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let, whether with or without the knowledge or consent of the owner.

"Owner" means any person who, alone or jointly or severally with others:

1. Shall have legal or equitable title to any dwelling or dwelling unit, with or without accompanying actual possession thereof;
2. Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee, receiver or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter, and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner; or
3. For the purposes of Sections 15.12.400 through 15.12.470, "owner" is defined to mean the holder or holders of the record title and all recorded interests therein on the day upon which the notice of condemnation hearing is issued.

"Person" means and includes any individual, firm, corporation, association or partnership.

"Plumbing" means and includes all of the following supplies, facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, intalled clothes washing machines, installed clothes dryers, installed dishwashers, lavatories, bathtubs, shower baths, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines and water pipes and lines utilized in conjunction with air-conditioning equipment.

"Roomer" means any person who shall occupy a room for hire in any rooming house.

"Rooming house, class I" means a residence inhabited by five to fifteen (15) roomers who are not members of the immediate family of an owner-occupant, providing facilities for living and sleeping. Sanitary facilities shall be available for each ten persons or fraction thereof. As of September 14, 1974, cooking facilities of any kind are not allowed within this classification. Any licensed rooming house in existence as of September 14, 1974 that has moderate cooking facilities within the rooms, shall have the right under Section 15.12.060 to appeal to the board of condemnation, appeals board for this chapter, requesting a hearing on the moderate cooking facility exclusion. The board of condemnation shall have the authority to deny or grant moderate cooking facilities in existing licensed rooming houses following such hearing. Owners of existing licensed rooming houses shall be notified of their right of appeal at the expiration of existing rooming house license. The appeal procedure shall not apply to new applications for rooming house Class I licenses. A "rooming house class I" shall comply with all city and state health codes and state fire safety code.

"Rooming house, class II" means a residence inhabited by five to fifteen (15) individual roomers, who are not members of the immediate family of an owner-occupant, providing facilities for living and sleeping. Sanitary facilities shall be available for each ten persons or fraction thereof. Separate and distinct space must be made available from the rooming units in which meals are provided and prepared by the proprietor or his representative solely for residents residing in the building. Prior to the issuance

of a rooming house, class II license, a restaurant license (limited) must be obtained from the city director of health. A rooming house, class II must comply with all city and state health codes and the state fire safety code.

"Rooming house operator" means any person or persons conducting or operating any rooming house and any person or persons supervising, managing or controlling the operation and maintenance of such rooming house.

"Rooming unit" means a room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not providing cooking, dining or sanitary facilities.

"Rubbish" means all combustible and noncombustible waste materials, except garbage, and the term shall include, but not be limited to, the residue from the burning of wood, coal, coke and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, plastic or other synthetic materials, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, abandoned automobiles and dust.

"Sanitary facility" means a separate, enclosed room with adequate ventilation and light containing one or more bathtubs or showers and lavatories with hot and cold running water and which also contains one or more water closets with cold running water.

"Story" means that portion of a building between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building between the upper surface of the topmost floor and the upper surface of the roof above.

"Supplied" means paid for, furnished or provided by, or under the control of the owner or operator.

"Temporary housing" means any structure classified as a shed, shack, houseboat, trailer, body of any vehicle or any other structure of similar category within the city.

Meaning of certain words. Whenever the words "dwelling," "dwelling unit," "rooming house," "rooming unit," "premises," are used in this chapter, they shall be construed as if they were followed by the words "or any part thereof."

(Ord. dated 11/3/03: Ord. dated 12/21/92 § 75(g); Ord. dated 4/1/91 (part); Ord. dated 11/6/89: prior code § 16-11)

### **15.12.020 Applicability of definitions in Chapter 15.16 to this chapter.**

All definitions interpreted in Chapter 15.16 shall be applicable to this chapter.

(Prior code § 16-12)

### **15.12.030 Inspections.**

A. The enforcing officer is authorized and directed to make inspections to determine the conditions of dwellings, dwelling units, rooming units and premises located within the city in order that he may perform his duty of enforcing this code and thereby safeguarding the health, safety and welfare of the occupants of dwellings and the general public. For the purpose of making such inspections, the enforcing officer is authorized to enter, examine and survey at all reasonable times all dwellings, dwelling units, rooming units and premises. The owner or occupant of every dwelling, dwelling unit and rooming unit, or the person in charge thereof, shall give the enforcing officer free access to such dwellings, dwelling units or rooming units and all premises at all reasonable times for the purpose of such inspection, examination and survey.

B. All inspections shall include:

1. A test of any interior or exterior flaking, peeling, chipping or blistering paint to determine the presence of lead-based paint; and
2. A test of any other interior surface which, in the judgment of the enforcing officer, appears to contain lead-based paint.

C. Inspections for lead-based paint shall be required under the following circumstances:

1. Before issuance of a certificate of apartment occupancy under the Bridgeport Housing Code;
2. Prior to the approval of any financial assistance provided in whole or in part by the city of Bridgeport, state of Connecticut, federal government or other government entity for housing rehabilitation, rental subsidy or other housing assistance.
3. The dwelling unit occupied by any child who is found to have a blood lead level greater than or equal to the blood level established by the Center for Disease Control as constituting an "elevated blood lead level" shall be inspected according to a schedule established by the Bridgeport health department. Such inspection shall be completed within no more than ten days of notification of the lead poisoning prevention program of such lead poisoning.

D. Before any residential dwelling consisting of one or more dwelling units changes ownership, each dwelling unit of such residential dwelling shall be inspected to determine whether it complies with Section 15.12.150(H) and (I). Such inspections shall be conducted by a contractor certified by the state of Connecticut as qualified to conduct inspections for lead-based paint. The results of each such inspection shall be provided, within ten working days, to the Bridgeport health department.

E. When any inspection reveals that either interior or exterior surfaces contain lead-based paint in

violation of this section, the inspector shall notify within three days, in writing, the following:

1. The owner of the building;
2. The occupant of the affected dwelling unit;
3. The city department of health.

F. The Bridgeport health department shall establish a reasonable schedule of fees for lead-based paint inspections conducted by the Bridgeport health department.

(Ord. 4/1/91 (part); prior code § 16-13)

#### **15.12.040 Right of owner to enter premises to make repairs.**

Each occupant of dwelling or dwelling unit shall give the owner thereof, or his agent or employee access to any part of such dwelling or dwelling unit, or all premises, at all reasonable times for the purpose of making such repairs and/or alterations as are necessary to effect compliance with the provisions of this chapter or any lawful order issued pursuant to the provisions of this chapter.

(Prior code § 16-14)

#### **15.12.050 Enforcement Notice of probable violation given by enforcing officer.**

Whenever the enforcing officer determines that there are reasonable grounds to believe that there has been a violation of any provision of this chapter, he shall give notice of such alleged violation to the person or persons, responsible therefor, as provided in this chapter. Such notice shall: (1) be in writing; (2) include a statement of the reason why it is being issued; (3) allow a reasonable time for the performance of any action it requires; (4) be served upon the owner or his agent, or the occupant, as the case may require, provided that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is served upon him personally or if a copy thereof is sent by regular mail, registered or certified mail to his last known address; or if a copy thereof is posted in a conspicuous place in or about the dwelling affected by the notice; or if he is served with such notice by any other method authorized or required under the laws of this state. Such notice may: contain an outline of remedial action which, if taken, will affect compliance with the provisions of this chapter and with the rules and regulations adopted pursuant thereto.

(Prior code § 16-15)

#### **15.12.060 Hearing.**

Any person, affected by any notice which has been issued in connection with the enforcement of any provision of this chapter, or of any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the board of condemnation of the city, provided that such person shall file in the office of the clerk of the board, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor, within ten days after the day the notice was served. Upon receipt of such petition, the board of condemnation shall set a time and place for such hearing, and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show cause why such notice should be modified or withdrawn. The hearing shall be commenced not less than fourteen (14) days nor more than thirty (30) days after the day on which the petition was filed, provided that upon application of the petitioner the board of condemnation may postpone the date of the hearing for a reasonable time beyond such fourteen-day period, if in their judgment the petitioner has submitted a good and sufficient reason for such postponement.

(Prior code § 16-16)

### **15.12.070 Proceedings of hearing.**

The proceedings at such hearing, including the findings and decision of the board of condemnation of the city, shall be reduced to writing and entered as a matter of public record in the office of the housing code enforcement officer. Such record shall also include a copy of every notice or order issued in connection with the matter.

(Prior code § 16-17)

### **15.12.080 Emergency notice and hearing.**

A. Whenever the housing code enforcement officer finds that an emergency exists which requires immediate action to protect the public health, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency. Notwithstanding the other provisions of this chapter, such order shall be effective immediately. Any person to whom such order is directed shall comply forthwith; provided, however, such person may appeal to the housing code enforcement office for a stay not to exceed five days within which period the housing code enforcement officer, for good cause shown, may modify or revoke said order.

B. The presence of lead-based paint in violation of this chapter shall render a dwelling unit unfit for human occupancy and shall constitute an emergency as defined in this section.

C. To remedy an emergency involving lead-based paint, the director of health shall issue a written order of abatement to require the owner to remove and dispose of all flaking, peeling, chipping or blistering paint under such safety conditions as required by the Bridgeport department of health. Such order of abatement shall also require that all surfaces with exposed lead paint shall be covered with an approved

durable material which can include nonleaded paint in accordance with standards established by the Bridgeport department of health. The abatement measures described above shall be completed within:

1. Twenty-eight (28) days for exterior violations, except that reasonable extension of time for covering but not for removal may be granted solely due to inclement weather conditions;
2. Fifteen (15) days for interior violations except as provided in subsection (C)(3) of this section;
3. Ten days in the case of interior violations if any resident of the dwelling unit is receiving medical treatment for elevated blood lead levels.

(Ord. dated 4/1/91 (part); prior code § 16-18)

### **15.12.090 Minimum standards for basic equipment and facilities.**

No person shall occupy as owner-occupant or let to another for occupancy and dwelling any dwelling unit, for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following requirements:

A. Kitchen Sink. Every dwelling unit shall contain a kitchen sink in good working condition and properly connected to a water and sewer system, which sink and system shall be installed and maintained in a manner prescribed by ordinances, rules and regulation of the city.

B. Lavatory. Every dwelling unit shall contain a room which affords privacy to a person within said room and which is equipped with a flush water closet and a lavatory basin in good working condition and properly connected to a water and sewer system, which system shall be installed and maintained in a manner prescribed by ordinances, rules and regulations of the city.

C. Bathing Facilities. Every dwelling unit shall contain within a room which affords privacy to a person within said room a bathtub or shower in good working condition and properly connected to a water and sewer system, which system shall be installed and maintained in a manner prescribed by ordinances, rules and regulations of the city.

D. Location of Lavatory and Bathing Facilities. Lavatory basin required under subsection B of this section may be in the same room as the flush water closet, or if located in another room, the lavatory sink shall be located in close proximity to the door leading directly into the room in which said water closet is located. Bathtub or shower required in subsection C of this section may be in the same room as the flush water closet.

E. Water Connections. Every kitchen sink, lavatory basin and bathtub or shower required under the provisions of subsections A through D of this section shall be properly connected with both hot and cold water lines.



F. Rubbish and Garbage Disposal. Every dwelling unit shall be supplied adequate rubbish storage facilities and with adequate garbage disposal facilities or garbage storage containers whose type and location are approved by the department of health and social services, the director of health and any person acting under the director of health. It shall be the responsibility of the owner to supply such facilities or containers for all dwelling units in a dwelling containing more than two dwelling units and for all dwelling units located on premises where more than two dwelling units share same premises. In all other cases, it shall be the responsibility of the occupant to furnish such facilities or containers.

G. Water-Heating Facilities. Every dwelling shall have supplied, or every dwelling unit shall have provisions made for the installation of water-heating facilities which are properly installed, are maintained in safe and good working condition, are properly connected with the hot water lines required under the provisions of subsection E of this section and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than one hundred twenty (120) degrees Fahrenheit at anytime needed.

H. Means of Egress. Every dwelling unit shall be provided with safe unobstructed means of egress, in accordance with the state fire marshal's code, section 29-41-11.44 and section 29-41-11.45 and the state building code.

(Ord. dated 12/21/92 § 75(g); prior code § 16-19)

### **15.12.100 Minimum standard for light, ventilation and heating.**

No person shall occupy as owner-occupant or let to another for occupancy any dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

A. Window Glass Area per Habitable Room. Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be at least one-tenth of the floor area of such room. Whenever walls or other portions of structure face a window of any such room and such light obstruction structures are located less than three feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight-type window in the top of such room the total window area of such skylight shall equal at least fifteen (15) percent of the total floor area of such room.

B. Operable Window Area per Habitable Room Ventilating Device. Every habitable room shall have at least one window or skylight which can easily be opened, or such other device as will adequately ventilate the room. The total of openable window area in every habitable room shall be equal to at least forty-five (45) percent of the minimum skylight type window size required in subsection A of this

section, except where there is supplied some other device affording adequate ventilation and approved by the housing code enforcement officer.

C. Bathroom and Water Closet Compliance with Light and Ventilation Requirements. Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms contained in subsection A of this section and except that no window or skylight shall be required in adequately ventilated bathroom and water closet compartments equipped with a ventilation system which is kept in continuous operation and approved by the housing code enforcement officer.

D. Electrical Fixtures. Where there is electric service available from power lines which are not more than three hundred (300) feet away from a dwelling, every dwelling unit and all public and common areas shall be supplied with electric service, outlets and fixtures, which shall be properly installed, shall be maintained in good and safe working condition, and shall be connected to the source of electric power in a manner prescribed by the ordinances, rules and regulations of the city. The capacity of such services and the number of outlets and fixtures shall be as follows:

1. Every kitchen, living room, or sitting room shall have three separate and remote wall-type electric convenience outlets, or two such convenience outlets and one ceiling or wall type electric light fixture shall be provided.
2. Every bedroom and/or habitable room not mentioned in subsection (D)(1) of this section shall have one wall-type electric convenience outlet and one supplied ceiling or wall-type electric light fixture.
3. Every public hall, water closet compartment, bathroom, laundry room or furnace room shall contain at least one supplied ceiling or wall-type electric light fixture. In addition to the electric light fixture in every bathroom and laundry room, there shall be provided at least one electric outlet.
4. Every habitable room shall have an electric service and outlets and/or fixtures capable of providing at least three watts per square foot of floor area.

(Prior code § 16-20)

### **15.12.110 Heating facilities.**

Every dwelling or dwelling unit shall be supplied with heating facilities which are properly installed, are maintained in safe and good working conditions, and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments located therein to a temperature of not less than sixty-five (65) degrees Fahrenheit. Heat, where supplied by the owner, shall be maintained at a temperature of not less than sixty-five (65) degrees Fahrenheit at all times. Either central or space heating facilities may be used but must meet the following requirements:

A. Central Heating Central Hot Water Facilities. Every heating unit and/or central hot water heating unit

shall:

1. Have every heat duct, steam pipe and/or hot water pipe free of leaks and functioning properly to provide an adequate amount of heat and/or hot water to the intended place of delivery;
2. Be provided with seals between sections of hot air furnace to prevent the escape of noxious gases into heat ducts;
3. If employing electricity, be connected to an electric circuit of adequate capacity in an approved manner; and
4. Be provided with automatic or safety devices and be installed and operated in the manner required by the statutes, ordinances and regulations of the state and the city.

**B. Space Heating Unit Hot Water Facilities.** Every space heating unit and/or unit hot water facility shall:

1. Not use gasoline as a fuel;
2. Not be of the portable type if using solid, liquid or gaseous fuel;
3. If employing a flame, be connected to a flue or vent in the manner required by the statutes, ordinances and regulations of the state and the city;
4. If employing solid or liquid fuels, have a fire-resistant panel beneath it;
5. Be located at least two feet away from any wall or be equipped with insulation sufficient to prevent overheating;
6. If employing gaseous fuel, be equipped with other than rubber tube or armored rubber tube connector;
7. If employing electricity, be connected to an electric circuit of adequate capacity in an approved manner;
8. Be installed and operated in the manner required by the statutes, ordinances and regulations of the state and the city.

(Prior code § 16-21)

### **15.12.120 Public hall and stairway light standards.**

Every public hall and stairway in every multiple dwelling, containing three or more dwelling units shall

be adequately lighted at all times. Every public hall and stairway in structures devoted solely to dwelling occupancy and containing not more than two dwelling units must be supplied with conveniently located light switches, controlling an adequate lighting system which may be turned on when needed, instead of full-time lighting.

(Prior code § 16-22)

#### **15.12.130 Window and door screen standards.**

During portion of each year June 1st to October 15th when the housing code enforcement officer deems it necessary for protection against mosquitoes, flies and other insects, every door opening directly from a dwelling unit to outdoor space shall have supplied screens and a self-closing device; and every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screens. Screen to be not less than sixteen (16) mesh per inch and every screen door shall have a self-closing device in good working condition.

(Prior code § 16-23)

#### **15.12.140 Basement window screen and ventilation standards.**

Every basement or cellar window used or intended to be used for ventilation and every other opening to a basement, which might provide an entry for rodents, shall be supplied with a screen or such other device as will effectively prevent their entrance.

(Prior code § 16-24)

#### **15.12.150 General requirements relating to the safety and sanitary maintenance of parts of dwelling and dwelling units.**

No person shall occupy as owner-occupant or let to another for occupancy any dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

- A. Foundations, Floors, etc. Every foundation, floor, wall, ceiling and roof shall be weathertight, watertight and rodent-proof; shall be capable of affording privacy; and shall be kept in good repair.
- B. Windows, Exterior Doors, etc. Every window, exterior door and basement hatchway shall be weathertight, watertight and rodent-proof; and shall be kept in sound working condition and good repair.
- C. Stairs, Porches and Appurtenances. Every inside and outside stairs, every porch and every appurtenance thereto, shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound working condition and good repair.

D. Plumbing Fixtures and Pipes. Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks and obstructions.

E. Water Closet Compartment and Bathroom Floors. Every water closet compartment floor surface and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water, and so as to permit such floor to be easily kept in a clean and sanitary condition.

F. Effective Facilities Generally. Every supplied facility, piece of equipment or utility, which is required under this chapter, shall be so constructed or installed that it will function safely and effectively, and shall be maintained in satisfactory working condition.

G. Drainage, Disposal of Rainwater. All rainwater shall be drained and conveyed from roof by means of properly installed gutters and leaders connected to city sewer when said sewer is located in street, so as not to cause dampness in the walls, ceilings or floors of any habitable room, or of any bathroom or water closet compartment, or any halls or hallway.

H. Exterior Surfaces.

1. All exterior surfaces not inherently resistant to decay shall be protected from the elements and from decay, by paint or other approved protective coating applied in a workmanlike manner. All exterior surfaces shall be kept clean and free from foreign matter.

2. All exterior surfaces where painted, shall be painted with paints which are not lead-based paints. All exterior surfaces with flaking, peeling, chipping or blistering paint which contains lead-based paint shall be repaired to remove or cover such paint. Removal of lead-based paint shall be completed under such safety conditions as required by standards to be established by the Bridgeport health department.

I. 1. All walls, ceilings, floors, interior woodwork, doors, windows and any other interior surfaces shall be kept free of flaking, peeling, chipping, blistering or loose paint. All interior surfaces, where painted, shall be painted with paints which are not lead-based paints.

2. The presence of exposed lead-based paint on any interior surface shall render a dwelling unit unfit for human occupancy. The presence of flaking, peeling, chipping, blistering or loose paint which contains lead-based paint shall render a dwelling unit unfit for human occupancy.

J. Handrails. Every stairwell and flight of stairs, both interior or exterior, which is more than two risers high shall have handrails or railings located in accordance with the building code. Every handrail or railing shall be firmly fastened and must be maintained in good condition.

(Ord. dated 4/1/91 (part); prior code § 16-25)

### **15.12.160 Minimum space, use and location requirements.**

No person shall occupy or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

A. Total Floor Area Required per Occupant of Sleeping Rooms. In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least fifty (50) square feet of floor space for each occupant thereof.

B. Arrangement of Sleeping Rooms. No dwelling or dwelling unit containing two or more sleeping rooms shall have such arrangements that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room, can be had only by going through another sleeping room; nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room or bathroom or water closet compartment.

C. Ceiling Height. At least three-quarters (seventy-five (75) percent) of the floor area of every habitable room in a multiple dwelling shall have a ceiling height of at least seven feet, eight inches, except for attic rooms which shall be at least seven feet, four inches high in one-half (fifty (50) percent) of its area; and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered as part of the floor area in computing the floor area of the room for the purposes of determining the maximum permissible occupancy thereof.

D. Cellar Space. No cellar space shall be used as a habitable room or dwelling unit.

E. Basement Space. No basement space shall be used as a habitable room or dwelling unit unless:

1. The floor and walls are impervious to leakage of underground and surface run-off water and are insulated against dampness;

2. The total of window area in each room is equal to at least the minimum window area sizes as required in Section 15.12.100(A);

3. Such required minimum window area is located entirely above the grade of the ground adjoining such window area;

4. The total of openable window area in each room is equal to at least the minimum as required under Section 15.12.100, except where there is supplied some other device affording adequate ventilation and approved by the housing code enforcement officer;

5. Such room or rooms shall be at least eight feet, six inches high in part from the floor to the ceiling and

such ceiling shall be at least four feet, six inches above the outside ground level.

F. Temporary Housing. No person shall occupy any structure defined as temporary housing for the purpose of living therein commonly classified as a shed, shack, houseboat, trailer, body of any vehicle or any other structure of similar category within the city.

G. Minimum Gross Floor Area. Every dwelling unit shall contain a minimum gross floor area of not less than one hundred fifty (150) square feet for the first occupant and one hundred (100) square feet for each additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms.

(Prior code § 16-26)

### **15.12.170 Responsibilities of owner generally.**

A. Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.

B. It is the duty of the owner of every dwelling containing two or more dwelling units to notify the Bridgeport health department in writing of: 1. the person authorized to manage the premises and 2. the person who is authorized to receive all notices, demands and service of process. Such name, address and telephone number shall be kept current.

(Ord. dated 4/1/91 (part); prior code § 16-27)

### **15.12.180 Responsibilities of occupant generally.**

Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies and controls.

(Prior code § 16-28)

### **15.12.190 Rubbish disposal standards.**

Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish in a clean and sanitary manner by placing it in the rubbish containers required by Section 15.12.090(F).

(Prior code § 16-29)

### **15.12.200 Garbage disposal standards.**

Every occupant of a dwelling or dwelling unit shall dispose of all his garbage, and any other organic wastes which might provide food for rodents, in a clean and sanitary manner, by placing it in the garbage disposal facilities or garbage storage containers required by Section 15.12.090(F).

(Prior code § 16-30)

#### **15.12.210 Screen and storm door standards.**

Every occupant of a dwelling or dwelling unit shall be responsible for hanging all screens and double storm doors and windows, whenever the same are required under the provisions of this chapter or of any rule or regulations adopted pursuant thereto, except where the owner has agreed to supply such service.

(Prior code § 16-31)

#### **15.12.220 Extermination standards.**

Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein, or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infected. Notwithstanding the foregoing provisions of this section, whenever infestation is caused by failure of the owner to maintain a dwelling in a ratproof or insectproof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two or more dwelling units, extermination thereof shall be the responsibility of the owner.

(Prior code § 16-32)

#### **15.12.230 Plumbing fixture standards.**

Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the use and operation thereof.

(Prior code § 16-33)

#### **15.12.240 Service, facility, equipment and utility standards.**

No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this chapter to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is approved by the enforcing officer. This shall also apply where there is a lease or verbal agreement.



(Prior code § 16-34)

### **15.12.250 Rental conditions Certificate of apartment occupancy.**

A. No owner or other person shall rent to another, or permit the occupation by another, of any vacant dwelling unit unless it and the premises are clean, sanitary and fit for human occupancy, and comply with all applicable legal requirements of the state of Connecticut and the city.

B. An apartment or dwelling unit in any structure containing three or more housing units shall not be occupied for human habitation, after a vacancy, until a certificate of occupancy has been issued by the authorized representative, certifying that such apartment or dwelling unit conforms to the requirements of Section 16-11 et seq. of the housing and commercial code of the city and Title 47a, Chapter 833a of the Connecticut General Statutes. No provision of this section shall apply to any structure occupied by the owner thereof and containing three or less housing units. No provision of this section shall be construed to prohibit human occupancy of such apartment or dwelling unit during the pendency of an application for such certificate.

C. A certificate of occupancy shall be valid for a minimum of six months, and following this six-month period until the apartment or dwelling unit is vacated.

D. Any person aggrieved by the refusal of a certificate of occupancy may appeal to the housing session at Bridgeport of the superior court for the judicial district of Fairfield. Such appeal shall be privileged.

E. The owner or lessor of such structure shall not recover, receive or collect rent or use and occupancy payments for the occupancy of any apartment or dwelling unit for which a certificate of occupancy has not been obtained prior to the rental thereof in violation of subsection B of this section.

F. The provisions of this section shall not apply to any structure which has been constructed or substantially reconstructed within the ten-year period immediately before the date such certificate of occupancy would otherwise be required under this section. The provisions of this section shall not apply to any apartment house owned by a housing authority organized under the provisions of Title 8, Chapter 128 of the Connecticut General Statutes, which has been constructed or altered pursuant to a contract with the federal government or the state providing for annual contributions or other financial assistance. Notwithstanding the aforesaid, this section is not intended to include, nor shall it be construed to apply to: (1) buildings containing dwelling units as defined and created under Title 47, Chapter 825 of the Connecticut General Statutes, wherein seventy-five (75) percent of such units are in individual ownership other than by the declarant; nor (2) dwelling units in a single ownership and owned and leased under the cooperative form of ownership.

G. Housing code enforcement officer may set a reasonable schedule of fees which are to be paid prior to the issuance of the certificate of occupancy required by this section.

H. No person filing an application for a certificate of occupancy shall knowingly make any false statement as to the names, ages, relationship or number of persons who will occupy a dwelling unit. Any person who violates any of the aforesaid provisions shall be subject to the penalty provided for violations of the provisions of the housing and commercial code.

I. The certificate of apartment occupancy for any apartment or dwelling unit shall be immediately revoked upon the failure of the owner to comply with an order of abatement issued pursuant to Section 15.12.080 or 15.12.150(H) or (I) of this chapter or to be otherwise in violation of the provisions of this chapter prohibiting the presence of lead-based paint. No apartment or dwelling unit shall be issued a certificate of apartment occupancy if it is in violation of Sections 15.12.080 or 15.12.150(H) or (I), or is otherwise in violation of the provisions of this chapter prohibiting the presence of lead-based paint.

(Ord. dated 4/1/91 (part); prior code § 16-35)

### **15.12.260 Tenant's responsibilities.**

Every occupant of a dwelling or dwelling unit causing damage to said premises so that it does not comply with the requirements of this chapter, shall be subject to the penalties set out in this chapter, and shall be responsible for all damage to the real property within said occupant's possession or control. If an inspection of a dwelling or dwelling unit prior to or subsequent to the leasing thereof indicates that it complies with all codes, ordinances and statutes relating thereto, the occupant in possession at the time of said inspection or if there is no occupant in possession at said time, then the next occupant, shall be presumed to have caused said damage and/or code violations, as the case may be.

(Prior code § 16-36)

### **15.12.270 Rooming houses and hotels License requirements.**

No person shall, subsequent to the effective date of the ordinance codified in this chapter, operate a room house, class I, rooming house, class II, or hotel, as defined in this chapter, within the city unless a rooming house, class I, rooming house, class II, or hotel license shall be issued to him as provided in this chapter. Applications for such licenses shall be made in writing to the housing code enforcement officer upon such forms as may be prescribed by him. Such application, whether original or for renewal of a license already issued, shall contain in addition to such other information as may be required by the housing code enforcement officer, the applicant's name, address, the address at which he proposes to operate a rooming house, class I, a rooming house, class II, or a hotel, the number of rooms, roomers and beds to be for hire, the number of beds and roomers in each room, and the name of the individual or individuals who will be charged with the control, management and maintenance of said rooming house, class I, rooming house, class II, or hotel. Application for the renewal of a license already issued shall be made to the housing code enforcement officer not later than one month prior to the date of expiration of the existing license.

(Prior code § 16-37)

### **15.12.280 Rooming houses and hotels License applications Display.**

A. Upon receipt of each application for the licensing of a rooming house, class I, rooming house, class II, or a hotel, either original or renewal, the housing code enforcement officer, chief of police, director of health, building officer and fire marshal of the fire department shall within seven days cause the premises to be inspected. He shall also transmit a copy of such application to the offices of planning and zoning. No license shall be issued until and unless the zoning enforcement officer has certified within seven days that the proposed use of the premises is a permitted use under the zoning regulations of the city. If the chief of police, zoning officer, director of health, building officer and fire marshal shall certify to the housing code enforcement officer that such premises comply with the terms thereof and other relevant ordinances, statutes and rules of the department of police, fire, health and zoning, the house code enforcement officer shall, upon the payment of fifty dollars (\$50.00) per structure plus five dollars (\$5.00) per room for rooming house, class I and rooming house, class II, and one hundred dollars (\$100.00) per structure plus five dollars (\$5.00) per room for a hotel, issue a license to the applicant within fifteen (15) days after such certification. If either the chief of police, fire marshal, director of health, building officer and zoning officer certify to the housing code enforcement officer that the premises do not qualify for a license under this chapter, the application shall be denied. Each license shall expire one year from the date of its issuance unless sooner revoked in the manner herein provided.

B. Display of License. Each rooming house, class I, rooming house, class II, and hotel operator shall be responsible for plainly displaying the license granted to him under this chapter in a prominent place within such premises.

(Ord. dated 7/5/05: Ord. dated 12/21/92 § 75(a); prior code § 16-38)

(Ord. dated 11/3/08)

### **15.12.290 Rooming houses and hotels Suitability of licensee.**

The chief of police may require such information as will disclose whether the applicant has been convicted of keeping a house of ill-fame or assignation, or a house in which lewd, dissolute or drunken persons resort or which has been used for the purpose of gaming. If any applicant shall have been convicted of any of the aforesaid offenses or has such a criminal record that the chief of police reasonably believes that he is not a suitable person to be licensed under this chapter, he may, in his discretion, so advise the housing code enforcement officer not to issue a license to the applicant.

(Ord. dated 12/21/92 § 75(a); prior code § 16-39)

### **15.12.300 Rooming houses and hotels Registers.**

Said licensee under this chapter shall keep a register in which, before permitting the occupancy of any room for hire, he shall cause to be legibly written, in the English language, the true name of each person lodging or hiring a room in such house, his permanent address, his place of employment and the initial date of occupancy. Each roomer or guest shall legibly sign said register and furnish the rooming house operator with the information necessary for his completion of the register as aforesaid. The rooming house operator shall place in such register the date of the termination of occupancy of each roomer or guest. The register shall be at all times subject to the inspection of the director of health or any authorized agent designated by him.

(Prior code § 16-40)

### **15.12.310 Rooming houses and hotels Health code.**

A. Rooming Houses. Each rooming house, class I and rooming house, class II operator shall observe and comply with the following standards in the maintenance of the rooming house operated by him:

1. Size of Sleeping Rooms. The sleeping room occupied by each roomer shall contain not less than one hundred (100) square feet in single occupancy rooms and not less than seventy-five (75) square feet per person for multiple occupancy rooms. Each room shall, for at least seventy-five (75) percent of its area, be not less than seven feet eight inches high from the finished floor to the finished ceiling, except attic rooms which shall be at least seven feet four inches high in one-half of its area.

2. Toilet Facilities. The toilet facilities for each room shall be adequate and there shall be a lavatory and bath or shower with running hot and cold water at all times, and a toilet with cold running water at all times, and at least one such facility for each ten persons or fraction thereof using such facilities. The shower shall have a shower curtain in good repair or the shower area shall be glass enclosed. A tub mat, safety strips or a built-in slip-resistant tub shall be supplied.

3. Rubbish and Garbage Containers. There shall be an adequate number of approved rubbish and garbage containers to provide for the needs of all roomers.

4. Window Space. Each room used for sleeping purposes shall contain at least one outside window of at least eight square feet which shall be so constructed that at least one-half opens readily.

5. Accumulation of Refuse and Rubbish. Refuse and rubbish shall not be suffered to accumulate in or on any portion of the premises used as a rooming house but shall be kept in approved receptacles and containers.

6. Rodent and Vermin Infestation, etc. The entire premises constituting the rooming house shall be kept free of rodent and vermin infestation.

7. Locks. All rooming units shall have operating locks to ensure privacy.

8. Linens. The operator of every rooming house shall change supplied bed linen at least once a week and prior to the letting of any room to any occupant.

9. General Powers. In addition to the specific terms of this chapter, the housing code enforcement officer shall have the power to order the rectification of any condition or situation in any rooming house licensed under this chapter which, in his opinion is detrimental or dangerous to life and public safety.

B. Hotels. Each hotel operator shall observe and comply with the following standards in the maintenance of the premises operated by him:

1. Size of Sleeping Rooms. The sleeping room occupied by each occupant shall contain not less than one hundred (100) square feet in single occupancy rooms and not less than seventy-five (75) square feet per person for multiple occupancy rooms. Each room shall, for at least seventy-five (75) percent of its area, be not less than seven feet eight inches high from the finished floor to the finished ceiling, except attic rooms which shall be at least seven feet four inches high in one-half of its area.

2. Toilet Facilities. The toilet facilities for each room shall be adequate and there shall be a lavatory and bath or shower with running hot and cold water and a toilet with cold running water at all times and at least one such facility for each ten persons or fraction thereof using each facility. The shower shall have a shower curtain in good repair or the shower area should be glass enclosed. A tub mat, safety strips or a built-in slip-resistant tub shall be supplied.

3. Window Space. Each room used for sleeping purposes shall contain at least one outside window of not less than eight square feet which shall be so constructed that at least one-half opens readily.

4. Exterior and Interior Physical Condition. Furniture, walls, ceilings, lighting, drapes, venetian blinds, carpets, floors, elevators, windows and wall decorations shall be clean and neat and in good physical repair. Stairways, walk-ways and lobbies shall be clean and uncluttered. Refuse and rubbish shall not be allowed to accumulate in or on any portion of the premises used as a hotel but shall be kept in approved receptacles and containers.

5. Guest Room Supplies. Drinking glasses, where supplied, should be sanitized in accordance with state and local ordinances. A waste basket will be provided in every room. Soap and toilet tissues are to be supplied in sufficient quantity. A fresh supply of soap is to be provided with each new occupant. Towels and wash cloths that have been used shall be replaced daily. Bed linens, pillows, mattresses, mattress pads, box springs, springs and frames shall be clean, in good repair and free of stains and foreign matter. Clean bed linens shall be supplied at least once a week and prior to the letting of any room to any occupant.

6. Mechanical Room and Storage Areas. Ceilings, walls, pipes, pumps, heating and air-conditioning equipment should all be neat and clean, well-painted and in good repair. Floors must be clean,

uncluttered and free of safety hazards.

7. Food and Drink Vending Machines. Where supplied to hotel guests, vending machines shall be kept in a clean and sanitary manner. All refrigerated drinking fountains shall be maintained in a clean and sanitary manner. All ice machines shall be supplied with scoops and tongs.

8. Restaurants. All restaurant facilities are to comply with the state public health code and city ordinances. Restaurant facilities must have a separate identity from hotel living quarters and are to be licensed by the city's health department.

9. Swimming Pools. All swimming pools shall comply with all state public health codes and city ordinances.

10. Rodent and Vermin Infestation, etc. The entire premises constituting the hotel shall be kept free of rodent and vermin infestation.

11. Locks. All hotel rooms shall have operating locks to ensure privacy.

12. General Powers. In addition to the specific terms of this chapter, the housing code enforcement officer shall have the power to order the rectification of any condition or situation in any hotel licensed under this chapter, which, in his opinion, is detrimental or dangerous to life and public safety.

(Prior code § 16-41)

### **15.12.320 Rooming houses and hotels General powers of the housing code enforcement officer.**

In addition to the specific terms of this chapter, the housing code enforcement officer shall have the power to order the rectification of any condition or situation in any rooming house, class I, rooming house, class II, and hotel licensed under this chapter, which, in his opinion, is detrimental or dangerous to life and public safety.

(Prior code § 16-42)

### **15.12.330 Rooming houses and hotels Fire department inspection.**

The fire chief of the fire department shall inspect, or cause to be inspected, all premises licensed under this chapter or for which an application for a license has been filed, to determine compliance with the provisions hereof and with other requirements of law relating to all state and local laws pertaining to fire and safety.

(Prior code § 16-43)

### **15.12.340 Rooming houses and hotels Periodic inspections.**

The housing code enforcement officer, chief of police, fire chief and director of health shall make periodic inspections and shall have the power at all times to inspect, or cause to be inspected, any portion of the premises licensed as a rooming house, class I, rooming house, class II, or hotel under this chapter in order to determine whether said premises comply with the terms of this chapter and other ordinances, and rules of the departments of health and fire and the statutes governing such premises.

(Ord. dated 12/21/92 § 75(a); prior code § 16-44)

### **15.12.350 Rooming houses and hotels Record of licenses issued.**

It shall be the duty of the housing code enforcement officer to keep a record of all licenses granted under this chapter which shall contain the number and date of all licenses, the name and residence of the person receiving such license, the address of the premises so licensed and the date upon which any license shall be revoked. The housing code enforcement officer shall keep a detailed account of all his receipts for such licenses and make prompt return thereof to the city treasurer.

(Prior code § 16-45)

### **15.12.360 Rooming houses and hotels Reports to the tax assessor.**

To aid the tax assessor in the performance of his duty in the assessment of taxable property, the housing code enforcement officer, not later than October 15th of each year, shall send to the tax assessor a list of all rooming house, class I, rooming house, class II, and hotel licenses in effect on the first day of October of each year showing the name and address of the licensee, the location of the licensed premises and the number of rooms devoted to rooming house purposes.

(Prior code § 16-46)

### **15.12.370 Rooming houses and hotels Penalties.**

Any person who shall operate or attempt to operate a rooming house, class I, rooming house, class II, or hotel in the city, without complying with or in violation of any of the terms of this chapter, shall upon conviction be subject to the penalties of the housing code. No such person convicted shall be permitted to operate a rooming house, class I, rooming house, class II, or hotel in the city for a period of one year following the date of such conviction. When such a convicted person shall be a licensee under this chapter, the clerk of the circuit court shall, upon conviction in the circuit court or upon final conviction on appeal from a judgement of the circuit court, notify the housing code enforcement officer of said conviction and the said officer shall forthwith revoke the license of such convicted person for the balance of said license year and no new license shall be issued to that person for one year following the

date of such conviction.

(Prior code § 16-47)

### **15.12.380 Rooming houses and hotels Revocation of licenses.**

The housing code enforcement officer may revoke the license of any rooming house, class I, rooming house, class II, or hotel operator licensed under this chapter and after due notice and hearing: (1) upon certification by the chief of police, the fire chief of the fire department, or the director of the department of health that the licensed premises do not comply with the provisions of this chapter, or of any other ordinances, or of the laws of the state, or of the rules and regulations of the departments of health and fire relative to the maintenance of such premises; or (2) if such operator shall have been convicted in any court for keeping premises licensed under this chapter as a house of ill-fame or assignation, or as a house where lewd, dissolute or drunken persons resort, or where drinking, carousing, dancing and fighting are permitted to the disturbance of the neighbors, or where the laws against gaming or the provisions of Chapter 8.80 of this code are permitted to be violated. He shall have the right to subpoena witnesses and documents at any hearing called for this purpose. Any operator aggrieved by the decision of the housing code enforcement officer may appeal to the board of condemnation as outlined in Section 15.12.430.

(Ord. dated 12/21/95 § 75(a); prior code § 16-48)

### **15.12.390 Rooming houses and hotels Responsibility of roomers.**

A. Each roomer shall deposit all rubbish, refuse and garbage in approved containers to be provided by the rooming house operator under Section 15.12.310(A)(3) and (5).

B. Each roomer shall keep his room free from any accumulation of combustible debris or other waste material and shall not obstruct any corridor, passageway, stairway or fire escape or use the same for storage purposes of any character.

C. No roomer or other person shall interfere with, damage or mutilate any exit sign located in any rooming house or interfere with, remove or extinguish, any lighting provided in any corridor, passageway, stairway, hallway, fire escape or other means of ingress or egress to the premises and the rooms located therein, except when authorized to do so by the rooming house operator.

D. No roomer or other person shall remove, damage or tamper with any fire extinguishing equipment except in case of fire or authorized inspection, repair or replacement thereof.

E. Any person violating any provision of this section shall be subject to the penalties of the housing code.

(Prior code § 16-49)



#### **15.12.400 Designation of unfit dwelling.**

The designation of dwellings or dwelling units which constitutes a menace to public safety shall be carried out in compliance with Section 15.12.020, definition of "building constituting a menace to public safety."

(Prior code § 16-50)

#### **15.12.410 Board of condemnation continued.**

There shall continue to be a board of condemnation which shall consist of the municipal building official, the chief of the fire department or his/her designee, the director of planning and economic development or his/her designee, an engineer from the office of the city engineer, and the director of health.

(Ord. dated 3/7/05 (part): Ord. dated 12/21/92 § 75(b); prior code § 16-51)

(Ord. dated 12/15/08)

#### **15.12.420 Powers of board of condemnation Hearing and notice thereof.**

The board of condemnation is granted the power after hearing to find and determine whether any building constitutes a menace to public safety. Such board may, as part of said hearing, inspect such building and the facts observed by said board at such inspection shall constitute evidence upon which it may base its findings. Notice of hearing shall be given by the board posting in a conspicuous place on the building, at least ten days prior to the date of hearing, a notice directed to all persons having or claiming any interest in said building, designating the building sought to be condemned, the reasons therefor and the time and place of hearing. A copy of such notice shall be sent by registered mail, at least ten days prior to such hearing, to each owner at his last known address, or if such address cannot after due diligence be ascertained, then such owner at Bridgeport, Connecticut.

(Prior code § 16-52)

#### **15.12.430 Findings of the board of condemnation.**

If the board of condemnation shall determine that a building constitutes a menace to public safety, it shall find and determine what repairs or alterations are necessary or whether the total destruction of such building is necessary in order that such building shall not constitute a menace to public safety. The board shall also determine and limit the length of time within which such repairs, alterations or destruction of any such buildings shall be completed. The time so limited shall begin to run from the date upon which

service of such findings shall be made on the owner of the premises, and the board may for good cause extend such time for a further period not exceeding thirty (30) days. The findings of the board shall be in writing and shall be served upon the owner personally or sent by registered mail to his last known address. If after due diligence, the owner cannot be found or his address shall be unknown, said findings shall, in lieu of such service or registered mail notice, be posted for ten days in a conspicuous place on the building.

(Prior code § 16-53)

#### **15.12.440 Penalty for failure to comply with orders of board of condemnation.**

If any building shall be found by the board of condemnation to constitute a menace to public safety and the owner thereof shall, after service of the findings of the board as provided in Section 15.12.430, neglect to destroy, alter or repair such building in accordance with the findings and within the time limited by the board, provided he shall have the legal power to destroy, alter or repair the same, such owner shall be fined as provided in Chapter 1.12 of this code. Any owner who shall disable himself from destroying, altering or repairing such building after receiving the notice of a hearing of the board relative hereto provided in this chapter shall likewise be fined as provided in Chapter 1.12 of this code. Each day that the owner shall neglect to alter, repair or destroy said building in accordance with and within the time limited in the finding of the board shall constitute a distinct and separate offense.

(Prior code § 16-54)

#### **15.12.450 Abatement of condition as a nuisance.**

Every building found by the board of condemnation to constitute a menace to public safety shall, if not destroyed, altered or repaired within the time allowed by and in accordance with the findings of the board be deemed to be a public nuisance, and every such nuisance may be abated summarily or by civil action.

(Prior code § 16-55)

#### **15.12.460 Placarding of unfit dwellings.**

No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from, and such placard is removed by, the board of condemnation. The board of condemnation shall remove such placard whenever the defect or defects, upon which the condemnation and placarding action were based, have been eliminated.

(Prior code § 16-56)

### **15.12.470 Defacing or removing placard.**

No person shall deface or remove any placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such.

(Prior code § 16-57)

### **15.12.480 Conflict of ordinances.**

In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or code of this city existing on the effective date of the ordinance codified in this chapter, the provision which established the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this chapter is found to be in conflict with a provision of any other ordinance or code of this city existing on the effective date of the ordinance codified in this chapter which established a lower standard for the promotion and protection of the health and safety of the people, the provisions of this chapter shall be deemed to prevail, and such other ordinances or codes are declared to be repealed to the extent that they may be found in conflict with this chapter.

(Prior code § 16-59)

### **15.12.490 Violation Penalty.**

Any persons who shall violate any provision of this chapter, shall, upon conviction, be punished by a fine not exceeding one hundred dollars (\$100.00) and each day such violation shall continue shall constitute a separate offense.

(Prior code § 16-58)

## **Chapter 15.16 COMMERCIAL BUILDING STANDARDS**

Sections:

15.16.010 Definitions.

15.16.020 Applicability of definitions in this chapter.

15.16.030 Scope of chapter.

15.16.040 Minimum standards.

15.16.050 Duties of enforcing officer.

15.16.060 Enforcement notice of probable violation given by enforcing officer.

15.16.070 Hearing.

15.16.080 Proceedings of hearing.

15.16.090 Emergency notice and hearing.

15.16.100 Responsibilities of owner, operator and occupant independent of each other.

15.16.110 Duties and responsibilities of the owner and operator.

15.16.120 Duties of occupant.

15.16.130 Higher standard to prevail in case of conflict with other ordinances or laws.

15.16.140 Enforcement of and compliance with other ordinances.

15.16.150 Penalties.

### **15.16.010 Definitions.**

The following definitions shall apply in the interpretation and enforcement of this chapter:

"Accessory structure" means a structure the use of which is incidental to that of the main building and which is attached thereto or located on the same premises.

"Building" means a structure adopted to permanent or continuous occupancy or use for public, institutional, business, industrial or storage purposes.

"Deterioration" means the condition of a building or part thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay or neglect, lack of maintenance or excessive use.

"Fire hazard" means:

1. Any device or condition likely to cause fire and which is so situated as to endanger either persons or property;

2. The creation, maintenance or continuance of any physical condition by reason of which there exists a use, accumulation or storage of combustible or explosive material sufficient in amount or so located or in such a manner as to put in jeopardy, in event of ignition, either persons or property;

3. The obstruction to or of fire escapes, stairways, aisles, exits, doors, windows, passageways or halls, likely, in the event of fire, to interfere with the operations of the fire department or of the safety and ready egress of occupants.

"Garbage" means all kitchen refuse of residences, hotels, rooming houses class I and II, restaurants or other places where food is prepared for human consumption, and all offal from fish, meat and vegetable markets, and all vegetable or organic substances unfit for food that are subject to immediate decay.

"Infestation" means the presence, within a dwelling or structure, of any insects, rodents, vermin or other pests which constitute a health hazard.

"Junk motor vehicle" means a motor vehicle not displaying proper registration plates and is worn out, inoperative, constitutes a health hazard, or which is ready for dismantling or destruction.

"Operator" means any person who has charge, care or control of a building or part thereof, in which dwelling units or rooming units are let whether with or without the knowledge or consent of the owner.

"Owner" means any person who, alone or jointly or severally with others:

1. Shall have legal or equitable title to any premises, with or without accompanying actual possession thereof;

2. Shall have charge, care or control as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee, receiver or guardian of the estate of the owner. Any person thus representing the actual owner shall be bound to comply with the provisions of this chapter, and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner;

3. For the purposes of Section 15.16.150, "owner" is defined to mean the holder or holders of the record title and all recorded interests therein on the day upon which the notice of condemnation hearing is issued.

"Plumbing" means and includes all of the following supplies, facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed clothes washing machines, installed clothes dryers, installed dishwashers, lavatories, bathtubs, shower baths, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines and water pipes and lines utilized in conjunction with air conditioning equipment.

"Premises" means a lot, plot or parcel of land including the building or structure thereon.

"Refuse" means and includes brush, weeds, broken glass, stumps, roots, obnoxious growth, filth, garbage, trash, refuse, debris and junk motor vehicles.

"Rest room" means an enclosed space containing one or more toilets and one or more lavatories or fixtures serving similar purposes.

"Rubbish" means all combustible and noncombustible waste materials, except garbage, and the term shall include, but not be limited to, the residue from the burning of wood, coal, coke and other combustible material, papers, rags, cartons, boxes, wood, excelsior, rubber, leather, plastic or other synthetic materials, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery, abandoned automobiles and dust.

"Structure" means any combination of any material, whether fixed or portable, forming a construction, including buildings.

"Ventilation" means the supply and removal of air to and from any space by natural or mechanical means.

Ventilation, mechanical. "Mechanical ventilation" means ventilation by power-driven devices.

Ventilation, natural. "Natural ventilation" means ventilation by an opening to outer air through window, skylight, door or stack with or without wind-driven devices.

"Weathering" means any deterioration, decay or damage caused by exposure to the elements.

(Prior code § 16-71)

#### **15.16.020 Applicability of definitions in this chapter.**

All definitions interpreted in Chapter 15.12, housing code, shall be applicable to this chapter.

(Prior code § 16-72)

#### **15.16.030 Scope of chapter.**

Every building and the premises on which it is situated shall comply with the provisions of this chapter, whether or not such building shall have been constructed, altered or repaired before or after the enactment of this chapter, and irrespective of any permits or licenses which shall have been issued for the use or occupancy or for the installation or repair of equipment or facilities prior to the effective date

of the ordinance codified in this chapter.

(Prior code § 16-73)

#### **15.16.040 Minimum standards.**

This chapter establishes minimum standards for the initial continued occupancy and use of all such buildings and does not replace or modify standards otherwise established for the construction, repair, alteration or use of the building, equipment or facilities contained therein.

(Prior code § 16-74)

#### **15.16.050 Duties of enforcing officer.**

The provisions of this chapter shall be administered and enforced in accordance with Section 15.12.030 of this code relative to commercial structures by the enforcing officer.

(Prior code § 16-75)

#### **15.16.060 Enforcement notice of probable violation given by enforcing officer.**

Notice of probable violation for this chapter shall be made in accordance with the procedures set forth in Section 15.12.050 of this code.

(Prior code § 16-76)

#### **15.16.070 Hearing.**

Hearings relative to probable violations in accordance with the provisions of Section 15.16.060 shall be granted in accordance with Section 15.12.060 of this code.

(Prior code § 16-77)

#### **15.16.080 Proceedings of hearing.**

The proceedings for such hearing shall be made pursuant to Section 15.12.070 of this code.

(Prior code § 16-78)

#### **15.16.090 Emergency notice and hearing.**

Emergency notices and hearing relative to this chapter shall be carried out pursuant to Section 15.12.080 of this code.

(Prior code § 16-79)

### **15.16.100 Responsibilities of owner, operator and occupant independent of each other.**

A. Owners and operators shall have all the duties and responsibilities as prescribed in Sections 15.12.170 through 15.12.260 of this code and the regulations promulgated pursuant thereto, and no owner or operator shall be relieved from any such duty and responsibility nor be entitled to defend against any charge of violation thereof by reason of the fact that the occupant is also responsible therefor and in violation thereof.

B. Occupants shall have all the duties and responsibilities as prescribed in Sections 15.12.170 through 15.12.260 of this code and all the regulations promulgated pursuant thereto, and the occupant shall not be relieved from any such duty and responsibility nor be entitled to defend against any charge of violation thereof by reason of the fact that the owner or operator is also responsible therefor and in violation thereof.

C. Unless expressly provided to the contrary in this section, the respective obligations and responsibilities of the owner and operator on one hand, and the occupant on the other, shall not be altered or affected by any agreement or contract by and between any of the aforesaid or between them and other parties.

D. Each owner or operator of any building covered by this chapter shall be given access by the occupant to any part of such building or buildings, appurtenant structures or all premises, at all reasonable times for the purpose of making such repairs and/or alterations as are necessary to effect compliance with the provisions of this chapter or any lawful order issued pursuant to the provisions of this chapter.

(Prior code § 16-80)

### **15.16.110 Duties and responsibilities of the owner and operator.**

The following duties and responsibilities are imposed upon every owner and operator of any building covered by the provisions of this section:

A. Nuisances. The exterior of the premises and all structures thereon shall be kept free of all nuisances and any hazards to the safety of occupants, pedestrians and persons utilizing the premises, and free of unsanitary conditions, and any of the foregoing shall be promptly removed and abated by the owner or operator. The items prohibited by this section shall include, but not be limited to: brush, weeds, broken glass, stump roots, obnoxious growth, filth, garbage, trash, debris, dead and dying trees and limbs or other natural growth, loose and overhanging objects, ground surface hazards and junk motor vehicles.



**B. Foundation Walls.** Foundation walls shall be kept structurally sound, free from defects and damage and capable of bearing imposed loads safely.

**C. Chimneys and Flue and Vent Attachments.** Chimneys and all flue and vent attachments thereto shall be maintained structurally sound, free from defects and so maintained as to capably perform at all times the functions for which they were designed. Chimneys, flues, gas vents or other draft-producing equipment shall provide sufficient draft to develop the rated output of the connected equipment, shall be structurally safe, durable, smoke-tight and capable of withstanding the action of flue gases.

**D. Porches, Landings, etc.** Exterior porches, landings, balconies, stairs and fire escapes shall be provided with bannisters or railings properly designed and maintained to minimize the hazard of fallings, and the same shall be kept structurally sound, in good repair and free from defects.

**E. Exterior of Premises and Accessory Structures.** The exterior of the premises and the condition of accessory structures shall be maintained so that the appearance of the premise and all buildings thereon shall reflect a level of maintenance in keeping with standards of the neighborhood.

**F. Landscaping.** Premises shall be kept landscaped and lawns, hedges and bushes shall be kept trimmed.

**G. Permanent Signs and Billboards.** All permanent signs and billboards exposed to public view permitted by reason of other ordinances or laws shall be maintained in good repair. Any signs which have excessively weathered or faded or those upon which the paint has excessively peeled or cracked shall, with their members, be removed forthwith or put into a good state of repair by the owner of the sign.

**H. Display Windows.** All display windows or store fronts constructed of plate glass shall be kept clean and free of cracks and no storage shall be permitted therein unless shielded from public view.

**I. Store Fronts.** All store fronts shall be kept in good repair, painted where required, and shall not constitute a safety hazard or nuisance. In the event repairs to a store front become necessary, such repairs shall be made with the same, similar or comparable materials used in the construction of the store front in such a manner as to permanently repair the damaged area or areas. Any cornice visible above a store front shall be kept painted, where required, and in good repair.

**J. Temporary Signs.** Except for "For Rent" and "For Sale" signs, any temporary sign or other paper advertising materials glued or otherwise attached to a window, or windows, or otherwise exposed to public view shall be removed: (1) at the expiration of the event or sale for which it is erected, or (2) within sixty (60) days after erection, whichever shall occur first.

**K. Awnings or Marquees.** Any awnings or marquees and its accompanying structural members which extend over any street, sidewalk or other portion of the premises shall be maintained in good repair and

shall not constitute a nuisance or a safety hazard. In the event such awnings or marquees are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event such awning or marquee is made of cloth, plastic or of a similar material, cloth or plastic where exposed to public view, shall be maintained in good condition and shall not show evidence of excessive weatherings, ripping, tearing or other holes. Nothing in this subsection shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

L. Paint. The exterior of every structure or accessory structure shall be kept in good repair and kept painted where necessary for purposes of preservation and appearance. All surfaces shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessive peeling paint or other condition reflective of deterioration or inadequate maintenance.

M. Restrooms. Restrooms shall be surfaced with waterproof floors and shall be kept dry, clean and sanitary at all times. Sufficient restrooms shall be installed and maintained for each sex commensurate with the use of the premises. Every restroom shall be provided with a permanently installed artificial lighting fixture and a wall switch thereof which is free from danger of short circuiting.

N. Electric Power. All premises shall be properly connected to and provided with electric power as requested for the operation of the structure. All such connections and electrical equipment shall be installed and maintained in conformity with the provisions of the National Electrical Code and other applicable ordinances.

O. Fuse Sizes. Maximum fuse sizes consistent with safety shall be posted conspicuously and no fuse shall be installed in a fuse box in excess of the stated maximum except that owners and operators shall not be responsible for violation in fuse installations without their knowledge where the correct maximum is stated and the fuse box is located within any part of the premises which is in the exclusive possession of occupant who shall be responsible for such violations.

(Prior code § 16-81)

### **15.16.120 Duties of occupant.**

The following duties and responsibilities are imposed upon every occupancy of any building covered by the provisions of this section:

A. Upon discovery by the occupant of code violation, the occupant shall first report same to the owner or operator and upon failure of the owner or operator to act within five days to cure said violation, the occupant shall then report to the housing code officer immediately. This subsection shall not be construed to limit the housing code officer from seeking rectification of a violation which in his opinion is considered to endanger the health and safety of an occupant or occupants prior to the cited five-day period.

B. All parts of the premises under the control of the occupant shall be kept in a clean and sanitary condition.

C. Storage bins, rooms and areas shall not be used for the accumulation of garbage or refuse.

D. Every occupant shall be responsible for the elimination of conditions conducive to infestation in areas subject to his control.

E. No occupant shall install electrical fuses in a fuse box in excess of the posted limit.

(Prior code § 16-82)

### **15.16.130 Higher standard to prevail in case of conflict with other ordinances or laws.**

In any case where the provisions of this chapter impose a higher standard than that set forth in any other ordinance or law, then the standards as set forth herein shall prevail, but if the provisions of this chapter impose a lower standard than any other ordinance or law, then the higher standard contained in such other ordinance or law shall prevail.

(Prior code § 16-84)

### **15.16.140 Enforcement of and compliance with other ordinances.**

No license or permit or other certification of compliance with this chapter shall constitute a defense to any violation of any other ordinance of the city applicable to any structure or premises, nor shall any provision of this chapter relieve any owner, operator or occupant from complying with any other provision, nor any official of the city from enforcing any such other provisions.

(Prior code § 16-85)

### **15.16.150 Penalties.**

The penalties as provided in Chapter 15.12 shall be in effect for this chapter.

(Prior code § 16-83)

## **Chapter 15.28 CONDOMINIUM CONVERSIONS**

Sections:

15.28.010 Landlord's action against lessee.

15.28.020 Moving and relocation expenses.

**15.28.010 Landlord's action against lessee.**

Pursuant to the authority extended to the city by Public Act 80-370, Section 1 (b)(3)(A) of the Connecticut General Statutes, it is determined that prior to January 1, 1983, no landlord may bring an action under Section 47a-23, as amended by Section 46 of Public Act 79-571, against any lessee who:

A. Resides in a building consisting of seven or more separate dwelling units;

B. Is blind or physically disabled as defined in Section 1-1f of the General Statutes or sixty-two (62) years of age or older or whose spouse or sibling residing with such lessee is sixty-two (62) years of age or older; and

C. Has an adjusted gross income for federal income tax purposes of not more than twenty-one thousand dollars (\$21,000.00) if unmarried, and twenty-five thousand dollars (\$25,000.00) jointly with spouse if married, except for reasons stated in Section 1(b)(3)(B) of such statutes.

(Prior code § 16-161)

**15.28.020 Moving and relocation expenses.**

Pursuant to the authority extended to the city by Public Act 80-370, Section 5 (2), Connecticut General Statutes, any declarant of a conversion condominium shall pay moving and relocation expenses to each household which does not purchase its dwelling unit and does not have an income higher than one hundred seventy-five (175) percent of the Federal Community Services Administration poverty guidelines for nonfarm recipients in an amount of five hundred dollars (\$500.00) or an amount equal to one month's rent, whichever is greater.

(Prior code § 16-162)

**Chapter 15.32  
SIGNS**

Sections:

15.32.010 Definitions.

15.32.020 Permit required.

15.32.021 Billboards.

15.32.022 Maintenance and repair of billboards.

15.32.030 Application for sign licenses Fees.

15.32.040 Off-premises signs.

15.32.050 Roof signs.

15.32.060 Projecting signs prohibited Exception.

15.32.070 Wall signs.

15.32.080 Projecting signs.

15.32.090 On-premises signs.

15.32.100 Electric signs.

15.32.110 Exceptions.

15.32.120 Inspections.

15.32.130 Unsafe signs.

15.32.140 Obstructing doors, etc.

15.32.150 Licensing of the business of erecting and maintaining signs.

15.32.160 Penalty.

### **15.32.010 Definitions.**

As used in this chapter the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Electric sign" means and includes any sign electrically illuminated by incandescent lamps, luminous gas tubes or other lighting devices and shall be defined further by the definitions of "on-premises sign" and "off-premises sign" in this section.

"Ground sign" means any sign which is supported directly by the ground or a foundation placed on or in the ground.

"Marquee sign" means and includes any sign attached to the side or front of any previously erected steel frame or canopy.

"Off-premises sign" means any sign which is located on other than the property where the business product or thing is conducted, produced or sold.

"On-premises sign" means any sign which is located on the property where any business, product or thing is conducted, produced or sold.

"Projecting sign" means and includes any sign fastened to the exterior wall of any building, or to a wood or steel pole set in the ground, and extending at right angles from said building or pole over any part of the sidewalk.

"Roof sign" means any sign which is supported by and above the structure or building upon which said sign is located. It shall also not extend more than eighteen (18) inches beyond the walls of said building.

"Sidewalk" means that area within any public street which is designed for the pedestrian travel of the public, and shall also include any area along, parallel and contiguous to any street between the building line and the street line of any street which is paved as a sidewalk for the pedestrian travel of the public.

"Sign" means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard or other thing which is designed, intended or used to advertise or inform.

"Wall sign" means any sign attached to and supported by the walls of any building.

(Prior code § 26.5-1)

### **15.32.020 Permit required.**

Except as provided in this chapter, no outdoor signs of any nature shall be erected, or shall be pasted, tacked or fastened in any way to any building or other structure, without first obtaining a permit therefor from the building official. Signs advertising real property for sale or rental may be erected and displayed upon the property so advertised without procuring such permit, provided said signs shall not be more than twenty-four (24) square feet in area. No permit shall be required for the erection of a temporary sign of muslin or oilcloth constructed on a wooden frame, having an area of less than eight square feet and a value of less than twenty-five dollars (\$25.00), or for the erection of any permanent signs having a value of fifteen dollars (\$15.00) or less, such values to be determined by the building official, provided such signs shall be erected by a person licensed under this chapter to engage in the business of erecting

and maintaining signs.

(Prior code § 26.5-2)

### **15.32.021 Billboards.**

There shall be no further approvals of the siting of billboards in the city until regulations of the planning and zoning board and/or the zoning board of appeals become effective, or April 30, 2000, whichever first occurs.

This nine month moratorium on approval of siting of billboards shall not apply to: (1) the approval of the relocation and re-siting of billboards that have been taken through condemnation by the city during the nine month period prior to the enactment of this ordinance; and (2) the approval of new billboards and billboard locations if, at the time of the city council's approval of this ordinance, an application for such billboard and billboard location had been approved by the city council and an application had been submitted to the city's zoning board of appeals or planning and zoning commission regarding such billboard or billboard location. Billboards taken by condemnation during the nine month period following the enactment of this ordinance may apply for relocation and re-siting once the nine month period has expired.

The purpose of this ordinance is to provide a reasonable opportunity for the municipality to proceed in good faith to adopt appropriate revised ordinances and/or zoning regulations in furtherance of the public health, safety and/or welfare. While this moratorium is in effect, representatives of the ordinance committee of the city council, the office of city attorney, the office of economic development, the zoning board of appeals and the planning and zoning commission will review the current ordinances and regulations regarding billboards and other signs, and the impact of these structures on the city.

The city council hereby requests the adoption of this nine month moratorium by the planning and zoning commission and the zoning board of appeals as a regulation.

(Ord. dated 4/19/99)

### **15.32.022 Maintenance and repair of billboards.**

Notwithstanding the provision of Chapter 15.32.110, the work associated with the ordinary and necessary repair, maintenance and/or the capital improvement of any existing billboard requires the issuance of a permit pursuant to Chapter 15.32.020.

(Ord. dated 4/19/99)

### **15.32.030 Application for sign licenses Fees.**

Application for sign permits shall be made on such forms as may be required by the building official. A permit fee based on the cost of the sign and the expense of erecting the same shall be paid to the building official for the use of the city before any permit for its erection shall be issued, said fee to be based on the fee schedule as shown in Section 15.08.010(A)(2), fee schedule.

(Ord. dated 5/6/91 (part): prior code § 26.5-15)

### **15.32.040 Off-premises signs.**

A. No off-premises sign shall be permitted in any zone except business or industrial zones and shall conform to all the required setbacks of said zones.

B. Spacing between off-premises sign structures along each side of a street or highway shall be:

1. One thousand (1,000) feet along interstate or limited access highways as defined by state statute;
2. Three hundred (300) feet along all other streets and highways.

C. An off-premises sign structure may contain one or two outdoor advertisements facing in the same direction, provided that the total area does not exceed the maximum area allowed. Back-to-back or V-type sign structures will be permitted with the maximum areas being allowed for each facing and considered as one structure.

D. All distances for spacing of off-premises signs shall be measured along the center line of the street or highway between two vertical planes which are normal or perpendicular to and intersect the center line of the highway and which pass through the terminal of the measured distance.

E. Off-premises advertising affixed to street-side trash receptacles owned, leased or sponsored by the city is not subject to this placement restriction. The placement restriction is subject to the planning commission's approval of any lease or sale agreement in the event that said receptacles are installed by a private company.

F. No off-premises sign shall exceed the following:

1. Maximum area   Nine hundred (900) square feet;
2. Maximum height   Twenty-five (25) feet;
3. Maximum length   Sixty (60) feet.

G. The area shall be measured by the outer limits of the advertising space.



H. The maximum height above ground level for off-premises ground signs shall be twenty-five (25) feet.

I. All off-premises signs lawfully in existence at the time of adoption of the ordinance from which this chapter derived shall be allowed to continue to exist until such time as they are abandoned or cease to exist, at which time they can only be re-erected in conformance with this chapter. This shall not preclude the rebuilding or maintenance of any sign so long as the sign is not removed for more than seven consecutive days.

J. Lighting. All lighted signs must be shielded so as to prevent beams or rays of light which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle from being directed to any portion of the travel way or the highway, or which otherwise interfere with any driver's operation of a motor vehicle.

(Ord. dated 4/4/94; prior code § 26.5-3)

### **15.32.050 Roof signs.**

All roof signs shall be securely anchored on the roof of the building upon which the same shall be erected or maintained and certified safe by a licensed professional engineer. Such signs shall have a clearance between the bottom of the display space and the surface of the roof of not less than six feet, except that the upper three feet of this space may be filled in with lattice. All such signs shall be constructed entirely of metal, including the supports and braces thereof, except that nailing strips, capping and moulding may be of wood, and shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of surface. The supports and braces on such signs shall be galvanized iron not less than one quarter inch in thickness.

(Prior code § 26.5-4)

### **15.32.060 Projecting signs prohibited Exception.**

Except as provided in this chapter, no sign and no advertising device of any character shall be erected or maintained so as to extend or project over any part of any sidewalk. Any existing sign which violates the prohibition of this chapter shall be removed, altered or replaced in conformity with the provisions of this chapter on or before April 1, 1974.

(Prior code § 26.5-5)

### **15.32.070 Wall signs.**

All wall signs shall be securely fastened to the building and shall not extend more than twelve (12) inches beyond the exterior wall of the building along which the same shall be constructed.

(Prior code § 26.5-6)

### **15.32.080 Projecting signs.**

No part of any projecting sign, marquee or marquee sign shall be less than nine feet above the level of any sidewalk, nor shall any part thereof be nearer than eighteen (18) inches to the curblineline of the street along which the same is constructed. Such signs shall be securely fastened to the wall of the building or other surface to which the same shall be attached. When such sign shall not exceed two hundred and fifty (250) pounds in weight, it shall be attached to such surface by lag bolts and shields not less than half an inch in dimension. When the weight of such sign shall exceed two hundred and fifty (250) pounds, it shall be so attached by having at least two through-bolts of not less than an inch in diameter securely fastened to an interior plate. All such signs shall be reinforced by chain or cable guys of tensile strength of at least four times the weight of the sign.

(Prior code § 26.5-7)

### **15.32.090 On-premises signs.**

No permit shall be granted for the erection of any on-premises sign which shall be twenty (20) feet in height above ground level unless permitted by the common council after a determination by it that peculiar conditions exist which justify the erection of a sign of greater height to permit the effective advertising identification of such business or industry. Such signs shall conform to and observe the setback from all property and street lines required by the zoning regulations of the city and such greater setback distances as the common council may prescribe in the interest of public safety or to prevent obstruction of other properties. No on-premises sign shall be used other than for the purpose of identifying, by name and symbol or trademark, the business or industry conducted on the premises upon which the same shall be erected. Such sign may be electrified or otherwise illuminated subject to such limitations as may be imposed by the common council.

(Prior code § 26.5-8)

### **15.32.100 Electric signs.**

All electric signs in which the wiring is internal shall be constructed of noncombustible material, the body and face of which shall be of sheet metal not less than twenty-four (24) gauge and the reinforcement iron not less than one inch by one-eighth inch angle iron, and shall bear the inspection label of the Fire Underwriters' Laboratories. This provision shall not apply to any sign illuminated by shades attached to goose-neck arms, or by a bungalow apron where the wiring is external to the sign proper.

(Prior code § 26.5-9)

### **15.32.110 Exceptions.**

The provisions of this chapter shall not prohibit the maintenance of any existing sign on the marquee of any theater, hotel or public building and, subject to the approval of the common council, the erection and maintenance of any new on-premises sign on any such marquee; nor shall it prevent the common council from authorizing the erection and maintenance of any banner across any public street for noncommercial purpose. "Sign" as used in this chapter shall not be construed to include directional, traffic, highway or street signs or marker erected and maintained pursuant to law.

(Prior code § 26.5-10)

### **15.32.120 Inspections.**

The building official is empowered to inspect any sign at any time that he may deem the same necessary and to order such repairs therein as in his judgment may be required for the safe and proper maintenance of such sign. It shall be the duty of the owners of such sign to make repairs which the building official shall order therein within ten days after he shall receive such order. If such order shall not be obeyed within ten days thereafter, the building official is empowered, if in his opinion said sign is a menace to public safety, to order the same removed at the expense of the owner.

(Prior code § 26.5-11)

### **15.32.130 Unsafe signs.**

If any sign in the opinion of the building official be unsafe and the owner of the sign cannot be located, the building official shall order the owner of the property on which said sign is located to remove the same by serving a written notice of such order on said property owner. If within ten days after said order shall have been served upon said property owner he shall fail to remove said sign, the building official is empowered to remove the same at the expense of said property owner.

(Prior code § 26.5-12)

### **15.32.140 Obstructing doors, etc.**

No sign shall be erected so as to obstruct any door, window, fire escape or exit of any building.

(Prior code § 26.5-13)

### **15.32.150 Licensing of the business of erecting and maintaining signs.**

No person shall engage in the business of erecting or maintaining any of the signs defined in this chapter, either for themselves or others, within the corporate limits of the city without first procuring a license from the building official to conduct same business. The building official shall have the right in acting upon the application for such license to examine the applicant or his representatives, at such time and place as the building official shall designate, as to the applicant's qualifications, competency and responsibility to engage in such business. The examination shall be practical and elementary in character but shall be of such character as to satisfy the building official that the applicant is qualified to conduct a sign business in accordance with the provisions of this chapter. No license issued to any person under this chapter shall be transferable. The initial fee for such license shall be one hundred and thirty-five dollars (\$135.00), and the license shall expire on the last day of the calendar year following the date of issuance. The fee for the yearly renewal or such license will be seventy-five dollars (\$75.00). No such license or renewal thereof shall be issued until such person shall have filed with the building official a certificate of insurance for the faithful observance of the provision of this chapter in the conduct of such business.

(Ord. dated 8/5/02: prior code § 26.5-14)

(Ord. dated 2/2/09)

### **15.32.160 Penalty.**

Any person, maintaining any sign contrary to the provisions of this chapter, shall be fined as provided in Chapter 1.12 of this code for each day, or part thereof, that such sign shall be maintained. Any other person who shall violate any provision of this chapter shall be fined two hundred and fifty dollars (\$250.00) for each offense. In addition to the criminal penalties imposed under this code, the building official is empowered to revoke any license granted under this chapter to any person who shall violate any of the provisions thereof.

(Prior code § 26.5-16)

(Ord. dated 2/2/09)

## **Chapter 15.36 BUILDING DEMOLITION**

Sections:

15.36.010 Permit to demolish buildings and structures.

15.36.020 Application for a demolition Procedures.

15.36.030 Ninety-day delay period Procedures.

### **15.36.010 Permit to demolish buildings and structures.**

A. No person shall demolish any building, structure or part thereof without first obtaining a permit for the particular demolition from the building official, which permit shall be valid for no longer than six months after the date of issue.

B. No person shall receive a demolition permit unless he complies with the provisions of all state statutes, the state building code and all city ordinances pertaining to the issuance of such permits.

C. No person shall receive a demolition permit unless the applicant thereof obtains from the director of health, and files with the building official, written certification that the premises proposed for demolition are free from rodent infestation.

D. 1. It shall be the duty of the director of health, or its designee, when a request for such certification is made, to act within fifteen (15) days to inspect the premises which are the subject of the request, to determine whether the premises are free from rodent infestation.

2. If he finds that the premises are free from rodent infestation, he may certify to that effect. If, however, his inspection discloses a rodent infestation, he shall require the owner of the premises to exterminate the rodents forthwith; and upon receipt of satisfactory evidence by him that the premises have been exterminated he shall then certify that the premises are free from rodent infestation.

E. In the event that demolition shall not have been substantially completed within thirty (30) days of the issuance of the certification of the director of health, the owner of the premises shall obtain new certification from the director of health and shall not proceed with the demolition until the certification has been filed with the building official, which new certification shall be valid for a period of thirty (30) days, after which further certification shall be necessary if the demolition shall not have been substantially completed; provided that the requirement for any certification following the first certification may be waived at the discretion of the building official if he shall decide that the premises is unsafe to enter.

F. No building owned by the city shall be demolished by the city without first being inspected for asbestos, which asbestos shall be removed before the building may be demolished. The director of health shall be responsible for the enforcement of this subsection.

G. Applicant must notify by registered or certified mail, not more than ten days prior to submitting final application to the building official, owners of all adjoining property as listed in the records of the tax assessor of the city adjoining the building(s) to be demolished.

H. Any person not in compliance with subsections C through E and G of this section shall be guilty of a violation of this code and is liable to be punished by a fine of one hundred dollars (\$100.00) per day, or

imprisoned for not more than thirty (30) days, or both, each day to be treated as a separate offense.

(Ord. dated 11/1/93 § 1)

### **15.36.020 Application for a demolition Procedures.**

A. 1. Before an application is filed with the building official, the applicant must first obtain a determination from the land use and construction review officer (hereinafter "LUCR") if the building is affected by the demolition delay provisions.

2. The LUCR will make such determination of applicability if the building(s) are either:

- a. Listed individually or as a contributory historic district component in the National Register of Historic Places;
- b. Have been determined to be eligible for inclusion in National Register of Historic Places; and/or
- c. Are within a local historic district governed by the city historic district commissions.

B. 1. If the LUCR determines that the property is not affected by the delay provision as per subsection A of this section, he will issue a notice of nonapplicability to the applicant.

2. Should the property be determined as subject to the delay provision, the LUCR will notify the city historian for review of the demolition request. The city historian will review the application and either issue an opinion to proceed with demolition or will subject the property to the process outlined as follows:

- a. Publish a legal notice of the applicant's application for a demolition permit in a daily newspaper having substantial circulation in the municipality, the wording to be specified by the city historian. The first such notice shall be published not more than ten days after the date on which the application was received by the city historian official, and a second notice shall be published not more than five days after the publication of the first notice.
- b. Notify by mail, not more than ten days after the application was received by the city historian, any individual or organization which has registered with the city historian and indicated a desire to be notified of proposed demolition permit applications. Such registration must be renewed annually following the date of the initial registration.
- c. Not more than five days after the application was received by the city historian, the applicant must post a sign of a size no smaller than eleven (11) by seventeen (17) inches, said sign to be provided and lettered by the city historian, on the property proposed for demolition, in a conspicuous place visible

from a public street, which sign shall include at least the following: "An application for a permit to demolish this building is pending. For information, contact the City Historian's Office, City of Bridgeport." If there is more than one building or structure proposed for demolition, a sign shall be placed on or near each of them. It is the responsibility of the applicant to insure that all signs shall remain on the property from time of posting until the final demolition.

C. Not until the process outlined in subsections A or B of this section has been followed, shall an application for a permit for demolition be submitted. The building department will not proceed until evidence of review is issued by either the LUCR or city historian as appropriate.

D. No person shall receive a demolition permit without having first submitted to the building official a completed application for the issuance of a demolition permit, upon a form to be provided by the building official.

(Ord. dated 11/1/93 § 2)

### **15.36.030 Ninety-day delay period Procedures.**

A. With respect to any application to demolish any building, structure or part thereof covered under Section 15.36.020(B)(2)(a), if a written objection to the issuance of the demolition permit is filed with the city historian by any individual, firm, corporation, organization or other entity within fifteen (15) days following publication of the first legal notice as required under Section 15.36.020(B)(2)(a), the city historian shall notify the building official accordingly, and the building official shall delay acceptance and/or approval of the demolition permit for a period of ninety (90) days from the date of the determination made by LUCR as specified in Section 15.36.020(B). Upon passage of such period of ninety (90) days, provided the applicant has not withdrawn his request for determination, the building official shall proceed with the demolition permit provided that all requirements of Sections 15.36.010 and 15.36.020 have been complied with.

B. If no objection to the demolition of the subject building, structure or part thereof is filed within fifteen (15) days following publication of the first legal notice as specified in Section 15.36.020(B)(1), the city historian shall notify the building official accordingly, and the building official shall issue the demolition permit in compliance with Section 15.36.010, providing that all requirements of Sections 15.36.010 and 15.36.020 have been complied with.

C. The city historian, with approval of mayor or director of OPED, may determine and charge an appropriate fee for carrying out the provisions of this chapter, said fee to be reasonable and to be borne by the applicant.

D. The provisions of Section 15.36.020 and this section shall not apply to demolitions ordered by the board of condemnation, the city building official and/or the mayor, because of an emergency or threat to public health or safety.

(Ord. dated 11/1/93 § 3)

## **Chapter 15.40 MISCELLANEOUS BUILDING REGULATIONS**

Sections:

15.40.010 Residence buildings on the rear of premises.

15.40.020 International symbol of access Approval of building department required.

15.40.030 Penalty for violation of Section 15.40.020.

### **15.40.010 Residence buildings on the rear of premises.**

No building to be used for the purpose of a residence, except upon permission given by the common council, shall be built in the rear of a building occupying the front of the same lot or plot of ground, nor shall any building to be used for the purpose of a residence be moved so that it shall stand in the rear of the building occupying the front of the same lot or plot of ground; and no building whatsoever shall be erected or placed in front of such building occupying the rear of the same lot or plot of ground. Any building erected, altered or moved in violation of this section shall be deemed and held a common nuisance, and the building inspector, with the advice of the mayor, having given reasonable notice under his hand to the owner of such building to remove or destroy the same, shall, in case such order is not complied with, abate such nuisance at the expense of the city, and the expense so incurred shall, from the time when such work is begun, be and continue a lien in favor of the city upon the land of the owner upon which such building stood. Such amount may also be recovered in a civil action in the name of the city.

(Prior code § 8-9)

### **15.40.020 International symbol of access Approval of building department required.**

No international symbol of access may be installed as notice to the public of any accessway for the handicapped without approval of the building department.

(Prior code § 8-10)

### **15.40.030 Penalty for violation of Section 15.40.020.**

Anyone in violation of Section 15.40.020 shall be subject to a fine of twenty-five dollars (\$25.00).



(Prior code § 8-11)

## **Chapter 15.44**

### **FLOOD DAMAGE PREVENTION**

Sections:

15.44.010 Findings of fact.

15.44.020 Statement of purpose.

15.44.030 Methods of reducing flood losses.

15.44.040 Definitions.

15.44.050 Lands to which this chapter applies.

15.44.060 Basis for establishing the areas of special flood hazard.

15.44.070 Compliance with chapter.

15.44.080 Abrogation and greater restrictions.

15.44.090 Interpretation of chapter.

15.44.100 Warning and disclaimer of liability.

15.44.110 Establishment of permit.

15.44.120 Designation of the city engineer.

15.44.130 Duties and responsibilities of the city engineer.

15.44.140 Variance procedure.

15.44.150 Provisions for flood hazard reduction.

#### **15.44.010 Findings of fact.**

A. The flood hazard areas of Bridgeport are subject to periodic inundation which may result in loss of

life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

B. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-68)

#### **15.44.020 Statement of purpose.**

It is the purpose of this chapter to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

A. To protect human life and health;

B. To minimize expenditure of public money for costly flood control projects;

C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

D. To minimize prolonged business interruptions;

E. To minimize damage to public facilities and utilities, such as: water and gas mains; electric, telephone and sewer lines; streets and bridges located in areas of special flood hazard;

F. To help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;

G. To insure that potential buyers are notified that property is in an area of special flood hazard; and

H. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-69)

#### **15.44.030 Methods of reducing flood losses.**

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling filling, grading, dredging and other development which may increase flood damage; and
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-70 (part))

#### **15.44.040 Definitions.**

Unless specifically defined in this section, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its more reasonable application:

"Appeal" means a request for a review of the city engineer's interpretation of any provision of this chapter or a request for a variance.

"Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

"Base flood" means the flood having a one percent chance equalled or exceeded in any given year.

"Breakaway walls" means any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or any other suitable building material which are not part of the structural support of the building; and which are so designed as to break away under abnormally high tides or wave action without damage to the structural integrity of the building on which they are used, or any buildings to which they might be carried by flood waters.

"Building" means any structure built for support, shelter or enclosure for any occupancy or storage.

"Coastal high hazard area" means the area subject to high velocity waters, including, but not limited to, hurricane wave wash. The area is designated on a FIRM as Zone VI-30, VE or V.

"Development" means a manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials located within the area of special flood hazard.

"Elevated building." In the FEMA-issued definition for elevated building, combined specifications are given for structures in A zones and V zones. The definitions for elevated buildings in A zones and for V zones follow:

1. "Elevated building A and A1-A-30 zones" means a nonbasement building built to have the top of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls or by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters.

2. "Elevated building V and V1-V30 zones" means a nonbasement building built to have the bottom of the lowest horizontal structural member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the flow of water and adequately anchored so as not to impair the structural integrity of the building during a flood of the magnitude of the base flood. Elevated building also includes structures which have the lower area enclosed by means of breakaway walls if the breakaway walls meet the standards of Section 15.44.150(C)(2)(d).

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters, and/or
2. The unusual and rapid accumulation of runoff of surface waters from any source.

"Flood boundary and floodway map" means the official map on which the Federal Emergency Management Agency has delineated the boundaries of the floodway.

"Flood insurance rate map (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the area of special flood hazards and the risk premium zones applicable to the community.

"Flood insurance study" means the official report provided in which the Federal Insurance Administration has provided flood profiles, as well as Flood Hazard Boundary-Floodway Map and the water surface elevation of the base flood.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Floor" means the top surface of an enclosed area in a building (including basement) i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

"Functionally dependent facility" means a facility which cannot be used for its intended purpose unless it is located in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair or seafood processing facilities. The term does not include long-term storage, manufacture, sales or service facilities.

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes recreational vehicles placed on a site for one hundred eighty (180) consecutive days or longer and intended to be improved property.

"Manufactured home park or subdivision" means a parcel, or contiguous parcels, of land divided into two or more manufactured home lots for rent or sale.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"National Geodetic Vertical Datum (NGVD)" as corrected in 1929, means a vertical control used as a reference for establishing varying elevations within the floodplain.

"New construction" means structures for which the "start of construction" commenced on or after the effective date of the initial Flood Insurance Rate Map (FIRM), (October 15, 1980), and includes any subsequent improvements to such structures.

"Recreational vehicle" (A.K.K. park trailers, travel trailers and similar transportable structures) means a vehicle which is:

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the longest horizontal projections;
3. Designed to be self-propelled or permanently towable by a light duty truck; and

4. Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.

"Sand dunes" means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

"Start of construction" (for other than new construction or substantial improvements under the coastal barrier resources act (P.L. 97-348)), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction or improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other manmade facilities or infrastructures.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

"Substantial improvement" means any combination of repair, reconstruction or improvement of a structure taking place during a one-year period in which the cumulative cost equals or exceeds fifty (50) percent of the market value of the structure either:

1. Before the improvement or repair is started, or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure.

The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary or

safety code specifications which are solely necessary to assure safe living conditions, or

2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter where specific enforcement would result in unnecessary hardship.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required is presumed to be in violation until such time as that documentation is provided.

"Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-70 (part))

#### **15.44.050 Lands to which this chapter applies.**

This chapter shall apply to all areas of special flood within the jurisdiction of the Bridgeport flood and erosion control board.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-71)

#### **15.44.060 Basis for establishing the areas of special flood hazard.**

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City of Bridgeport," dated September 6, 1989 and as revised, with accompanying Flood Insurance Rate Maps, latest revision June 16, 1992 and as revised, is adopted by reference and declared to be a part of this chapter. The Flood Insurance Study Flood Boundary and Floodway maps and FIRM maps are on file in the city engineer's office, City Hall, 45 Lyon Terrace, Bridgeport, Connecticut.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-72)

#### **15.44.070 Compliance with chapter.**

No structure or land shall hereafter be constructed, located, extended, converted or altered without full

compliance with the terms of this chapter and other applicable regulations.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-73)

#### **15.44.080 Abrogation and greater restrictions.**

This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-74)

#### **15.44.090 Interpretation of chapter.**

In the interpretation and application of this chapter, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-75)

#### **15.44.100 Warning and disclaimer of liability.**

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazards, or uses permitted within such areas, will be free from flooding or flood damages. This chapter shall not create liability on the part of the city, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-76)

#### **15.44.110 Establishment of permit.**

A. Prior to the issuance of a building permit within any area of a special hazard established in Section 15.44.060, a site plan shall be furnished by the applicant, and may include, but not be limited to, the nature, location, dimension and elevations of the area in question, existing and proposed grades, existing



or proposed structures and drainage facilities. If the city engineer requires a proposed grading plan or drainage facilities, this site plan shall be prepared by a licensed professional engineer. Specifically the following information is required:

1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
2. Elevation in relation to mean sea level to which any structure is to be floodproofed;
3. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 15.44.150(B)(2);
4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

B. Prior to the start of any development which does not require the issuance of a building permit, within any area of special flood hazard established in Section 15.44.060, a development permit shall be obtained. Application for a development permit shall be made to the city engineer and shall include, but not be limited to, the same information as required for a building permit in a flood hazard zone.

C. Construction Stage. Upon completion of the applicable portion of construction, the applicant shall provide verification to the Bridgeport building official of the following as is applicable:

1. Lowest floor elevation the elevation to be verified for:
  - a. For structures in Zones A, A1-A30, AE, provide the as-built elevation of the top of the lowest floor, including basement;
  - b. For nonresidential structures in Zones A, A1-30 and AE, provide the as-built elevation to which the floodproofing is effective;
  - c. For structures in the V1-V30 and VE zones, provide the as-built elevation of the bottom of the lowest horizontal structural member of the elevated building excluding pilings or columns.

D. Deficiencies detected by the review of the site plan referred to in this section shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required by this chapter shall be cause to issue a stop-work order for the project.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-77)

#### **15.44.120 Designation of the city engineer.**

The city engineer is appointed to administer and implement this chapter by granting or denying building and development permit applications in accordance with its provisions.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-78)

#### **15.44.130 Duties and responsibilities of the city engineer.**

Duties of the city engineer shall include, but not be limited to:

##### **A. Permit Review.**

1. Review all building or development permit applications to determine that the permit requirements of this chapter have been satisfied;
2. Review all building or development permit applications to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;
3. Review all building or development permit applications for sufficiency in information in the area of special flood hazard except in the coastal high hazard area to verify that the proposed development is not proposed to adversely affect the flood carrying capacity of the area of special flood hazard. For the purposes of this chapter, "adversely affect" means that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will increase the water surface elevation of the base flood more than one foot at any time, which is not allowable;
4. Review building or development permit applications in the coastal high hazard area of the area of special flood hazard to determine if the proposed development would unacceptably alter sand dunes so as to increase potential flood damages and therefore, require that the site plan be revised;
5. Review plans for walls to be use to enclose space below the base flood level in accordance with Section 15.44.150.

**B. Use of Other Base Flood Data.** When base flood elevations data or floodway data have not been provided in accordance with Section 15.44.060, basis for establishing the areas of special flood hazard, the city engineer shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer Section 15.44.150.

##### **C. Information to be obtained and maintained by the city engineer:**

1. Obtain a certificate by a licensed land surveyor of the actual elevation (in relation to mean sea level) of the top of the lowest floor (including basement) of a structure in a numbered A zone of all new or

substantially improved structures and record. Also, the lowest point of the lowest structural member (excluding piling or columns of a structure in the V zone) shall be recorded;

2. For all new or substantially improved floodproofed structures:

a. Verify and record the actual elevation (in relation to mean sea level), and

b. Maintain the floodproofing certifications required in Section 15.44.150(B)(3)(c);

3. In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the structure is securely anchored to adequately anchored pilings or columns in order to withstand velocity waters in hurricane wave wash;

4. Maintain for public inspection all records pertaining to the provisions of this chapter.

#### D. Alteration of Watercourse.

1. Review any request to alter a watercourse so that the flood carrying capacity is not diminished. City engineer may require that the site plan be revised if an unacceptable alteration of a watercourse is noted;

2. Require that maintenance is provided by the owner of the property within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished;

3. Notify neighboring communities of watercourse alterations.

#### E. Interpretation of FIRM Boundaries.

1. Make interpretations of regulatory related situations.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-79)

### **15.44.140 Variance procedure.**

#### A. Appeal Board.

1. The zoning board of appeals as established by the city council shall hear and decide appeals and requests for variances from the requirements of this chapter.

2. The zoning board of appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the city engineer in the enforcement or administration of this chapter.

3. Those aggrieved by the decision of the zoning board of appeals may appeal within fifteen (15) days after such decision to the superior court, as provided in Section 8-7 of Chapter 124, Connecticut General Statutes.

4. In passing upon such application the zoning board of appeals shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and

- a. The danger that materials may be swept onto other lands to the injury of others;
- b. The danger to life and property due to flooding or erosion damage;
- c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- d. The importance of the services provided by the proposed facility to the community;
- e. The necessity of the facility to a waterfront location, in the case of a functionally dependent facility;
- f. The availability of alternative locations for proposed use which are not subject to flooding or erosion damage;
- g. The compatibility of the proposed use with existing and anticipated development;
- h. The relationship of the proposed use to the comprehensive plan and flood plan management program of that area;
- i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- j. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems and streets and bridges.

5. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items listed in subsection (A)(4)(a) through (k) of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

6. Upon consideration of the factors listed in subsection (A)(4)(a) through (k) of this section and the purposes of this chapter, the zoning board of appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

7. The city engineer shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

#### B. Conditions for Variances.

1. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places, with regard to the procedures set forth in the remainder of this section.

2. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

3. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard to afford relief.

4. Variances shall only be issued upon:

a. A showing of good and sufficient cause;

b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of public as identified in subsection (A)(4) of this section, or conflict with existing local laws or ordinances.

5. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as twenty-five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-80)

#### **15.44.150 Provisions for flood hazard reduction.**

A. General Standards. In all areas of special flood hazards the following standards are required:

1. Anchoring.

a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

2. Construction Material and Methods.

a. All new construction and substantial improvements shall be constructed with materials resistant to flood damage;

b. All new construction and substantial improvements shall be constructed with materials resistant to flood damage.

3. Utilities.

a. Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

b. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

c. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and

d. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. Subdivision Proposals.

a. All subdivision proposals shall be consistent with the need to minimize flood damage;

b. All subdivision proposals shall have public utilities and facilities such as a sewer, gas, electrical and water systems located and constructed to minimize flood damage;

c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

d. Base flood elevation data shall be provided for subdivision proposals and other proposed development

which contain at least fifty (50) lots or five acres (whichever is less).

## 5. Manufactured Homes.

- a. All manufactured homes (including recreational vehicles placed on a site for one hundred eighty (180) consecutive days or longer) to be placed, or substantially improved, shall be installed using methods and practices which minimize flood damage. They shall also be elevated and anchored to resist flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties;
- b. Elevation construction standards include piling foundations placed no more than ten feet apart, and reinforcement is provided for piers more than six feet above ground level.

B. Specific Standards. In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 15.44.060, basis for establishing the areas of special flood hazard or in Section 15.44.030(B). Use of other base flood data, the following standards are required:

### 1. Residential Construction.

- a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.

### 2. Manufactured Homes.

- a. All manufactured homes (including recreational vehicles placed on a site for one hundred eighty (180) consecutive days or longer) to be placed, or substantially improved, shall be elevated so that the lowest floor is above the base flood elevation;
- b. It shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors;
- c. It shall be installed using methods and practices which minimize flood damage;
- d. Adequate access and drainage should be provided.

3. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

- a. Be floodproofed so that below an elevation of one foot above the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- b. Have structural components capable of resisting hydrostatic and hydronamic loads and effects of buoyancy; and
- c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection. Such certifications shall be provided to the official as set forth in Section 15.44.130(c)(2).

4. Enclosed Areas Below Base Flood Elevation A1-A30 Zones. New construction, or substantial improvements, of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

- a. Designs for complying with this requirement must either be certified by a professional engineer or architect, or meet the following minimum criteria:
  - i. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  - ii. The bottom of all openings shall be no higher than one foot above grade; and
  - iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
- b. Electrical, plumbing and other utility connections are prohibited below the base flood elevation;
- c. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and

C. Coastal High Hazard Area. Coastal high hazard areas (V zones) are located within the areas of special flood hazard established in Section 15.44.060. These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply:

1. Location of Structures.

- a. All new buildings, structures or substantial improvements shall be located landward of reach of the



mean high tide.

## 2. Construction Methods.

a. Elevation. All new buildings, structures or substantial improvements shall be elevated so that the lowest supporting member (excluding pilings or columns) is located no lower than the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in subsection 15.44.150(C)(2)(d) of this section.

### b. Structural Support.

i. All new buildings, structures or substantial improvements shall be securely anchored on pilings or columns.

ii. All pilings and columns and the attached structures shall be anchored to resist flotation, collapse and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. The anchoring and support system shall be designed with wind and water loading values which equal or exceed the one-hundred-year mean recurrence interval (one percent annual chance floods and winds).

iii. There shall be no fill used for structural support.

c. Certification. Compliance with the provisions of subsection(C)(2)(a) and (b) of this section shall be certified by a registered professional engineer or architect including design specifications and plans for construction.

### d. Space Below the Lowest Floor.

i. Any alteration, repair, reconstruction or improvement to a structure started after the enactment of the ordinance codified in this chapter shall not enclose the space below the lowest floor unless breakaway walls are used as provided for in this section.

ii. Nonsupporting breakaway wall, lattice work or mesh screening shall be allowed below the base flood elevation provided they are not a part of the structural support of the building and are designed so as to break away, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used and provided the following design specifications are met:

(A) Design-safe loading resistance of each wall shall not be less than ten nor more than twenty (20) pounds per square foot; or

(B) If more than twenty (20) pounds per square foot, a registered professional engineer or architect shall certify that the design wall collapse would result from a water load less than that which would occur

during the base flood event, and the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water loads acting simultaneously on all building components during the base flood event. Maximum wind and water loading values to be used in this determination shall each have one percent chance of being equalled or exceeded in any given year (one- hundred-year mean recurrence interval).

iii. If breakaway walls are utilized, such enclosed space shall not be used for human habitation, but shall be designed to be used only for parking of vehicles, building access or limited storage of maintenance equipment used in connection with the premises.

iv. Prior to construction, plans for any structure that will have breakaway walls must be submitted to the city engineer for approval.

v. Any alteration, repair, reconstruction or improvement to a structure shall not enclose the space below the lowest floor except with breakaway walls, lattice work or screening as provided for in subsection (C) (2)(d)(ii)((A)) and ((B)) of this section.

### 3. Manufactured Homes.

a. All manufactured homes (including recreational vehicles placed on a site for one hundred eighty (180) consecutive days or longer) to be placed, or substantially improved, shall be elevated so that the lowest floor is above the base flood elevation;

b. It shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors;

c. It shall be installed using methods and practices which minimize flood damage;

d. Adequate access and drainage should be provided.

4. Sand Dunes. There shall be no alteration of sand dunes which would increase potential flood damage.

D. Floodways. Located within areas of special flood hazard established in Section 15.44.060 are areas designated under Section 15.44.130(B) as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions apply:

1. Encroachments. Prohibit encroachments including fill, new construction, substantial improvements and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence

of the base flood discharge.

2. In A zones where base flood elevations have been determined, but before a floodway is designated, no new construction, substantial improvement or other development (including fill) shall be permitted which will increase base flood elevations more than one foot at any point along the watercourse when all anticipate development is considered cumulatively with the proposed development.

3. The city may request floodway data of an applicant for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the city's request or not), the city shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one foot at any point along the watercourse.

(Ord. dated 6/20/94 (part): Ord. dated 11/6/89 (part): prior code § 21-81)

## **Chapter 15.48**

### **STORM WATER MANAGEMENT MANUAL**

Sections:

15.48.010 Purpose.

15.48.020 Responsible city department.

15.48.030 Affected projects.

15.48.040 Elements.

15.48.050 Fees.

#### **15.48.010 Purpose.**

The storm water management manual (hereafter known as the "manual") is a comprehensive storm water management program. It provides standards to be used in preparation of land development plans. This manual is to be used in conjunction with the City of Bridgeport Zoning Regulations.

(Ord. dated 4/6/09)

#### **15.48.020 Responsible city department.**

The engineering department has supervision for citywide storm water management. All interpretations

of the content, as well as updates, additions or deletions to the storm water management manual are the responsibility of the engineering department. It is the intention and expectation of the manual that the water pollution control authority will work in concert with and in support of the engineering department to implement, interpret and update the manual.

(Ord. dated 4/6/09)

#### **15.48.030 Affected projects.**

Any project which generates a disturbance area of earth of twenty thousand (20,000) square feet or more must comply to the greatest extent practical with requirements of the manual. For those projects located within a flood prone area, the earth disturbance requiring compliance with the manual is five thousand (5,000) square feet or more.

(Ord. dated 4/6/09)

#### **15.48.040 Elements.**

The storm water management manual contains four major elements, including water quality, water quantity, channel protection, and flood control. Several minor elements are addressed, including but not limited to, channel right-of-way, drainage easements, intersection grading, private drains, and drainage standards.

(Ord. dated 4/6/09)

#### **15.48.050 Fees.**

A fee of not less than twenty-five dollars (\$25.00) will be charged by the engineering department for physical copies of the storm water management manual and associated maps. This fee will be established by the engineering department, reviewed on an annual basis, and adjusted as necessary.

(Ord. dated 4/6/09)